

Notice of Meeting:

I hereby give notice that an ordinary meeting of Strategy & Policy Committee will be held on:

Date: Thursday 28 June 2012
Time: 9.30 am
Meeting Room: Committee Room 1
Venue: Municipal Building, Garden Place, Hamilton

Barry Harris
Chief Executive

Strategy & Policy Committee OPEN AGENDA

Membership

Chairperson	Cr M Westphal
Deputy Chairperson	Cr D Bell
Members	Her Worship the Mayor Ms J Hardaker
	Cr P Bos
	Cr G Chesterman
	Cr M Forsyth
	Cr M Gallagher
	Cr J Gower
	Cr R Hennebry
	Cr D Macpherson
	Cr P Mahood
	Cr A O'Leary
	Cr E Wilson

Quorum: A majority of members (including vacancies)

Meeting Frequency: Monthly

20 June 2012
Telephone:

www.hamilton.co.nz

Role & Scope

- The overall mandate of this committee is to develop all strategic, policy and planning frameworks for approval by Council
- Establish strategic directions to deliver community outcomes and City vision
- Establish policies and guidelines for decision making to assist in achieving strategic outcomes
- Evaluate and monitor the effectiveness of strategy, policy and plans
- Establish levels of service across Council services commensurate with strategic priorities and community outcomes
- Recommend, consult and approve preferred methods, policies, guidelines and reviews, structure plans, etc. to achieve Regional Land Transport Strategy objectives
- Receive and consider submissions relating to strategies and policies
- Receive and consider reports from working groups
- Develop draft by-laws for adoption by Council
- Develop Annual Plan and LTP components

Committee Can Work in Forum Mode

From time to time the agenda for a Committee meeting will be organised and planned in “Forum mode” to enable members to more effectively lead, and participate in, the monitoring function. This could be for a full agenda or part thereof. “Forum mode” means that the Committee will consider (by resolution) suspending Standing Orders to enable the Committee to have more informal discussion and to receive presentations from Council Controlled Organisations (CCOs) and other partner organisations. Key issues and any direction set will be recorded for any section of a formal meeting that is run in Forum mode.

Power to Act

In accordance with the General Delegation conferred by this Manual, this Committee has the power to:

- Recommend all strategies, policies and plans
- Approve all submissions made by HCC to other Councils, central government and other bodies
- Recommend reserve management plans
- In relation to bylaws, approve for consultation and consider submissions

Power to Recommend

- By laws to Council
- Strategies, policies and plans
- Reserve management plans

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1 Apologies

2 Confirmation of Agenda

The Council to confirm the agenda.

3 Declaration of Interest

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as an elected representative and any private or other external interest they might have.

4 Public Forum

As per Hamilton City Council's Standing Orders, a period of up to 30 minutes has been set aside for a public forum. Each speaker during the public forum section of this meeting may speak for three minutes or longer as the discretion of Her Worship the Mayor.

Please note that the public forum is to be confined to those items falling within the terms of the reference of this meeting.

Should you wish to participate in the public forum, please contact Democratic Support Services by telephoning 838-6771.

Committee: Strategy & Policy Committee **Date:** 28 June 2012

Report Name: Resolution Monitoring Report **Author:** Fleur Yates

Recommendation

That the report be received.

1. Attachments

- Attachment 1 - Strategy & Policy Committee - Resolution Monitoring Report

Signatory

Authoriser	Anthony Dick, Democratic Support Services Manager
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Council Resolution Monitoring Report – Strategy & Policy Committee

Item 5

Attachment 1

No.	Subject	Resolution	Current Status
1.	Programme to Review the Earthquake-prone Dangerous and Insanitary Building Policy	<p>....</p> <p>c) the revised draft policy be reported back to Strategy and Policy Committee for approval in December 2012 prior to public consultation, and</p> <p>d) Staff continue to pursue the completion of outstanding building owners engineering strengthening reports through active follow up and negotiation.</p> <p><i>Council Meeting: 24 November 2011</i></p>	To report back in December 2012.
2.	Fluoridation of Hamilton's Water Supply	<p>That:</p> <p>b) Council does not hold the fluoridation referendum in October 2013, and</p> <p>c) the issue of fluoridation of Hamilton's water supply be referred to the Strategy & Policy Committee for further consideration.</p> <p><i>Council Meeting: 6 June 2012</i></p>	To report to the Strategy & Policy Committee Meeting on 25 September 2012.

Committee: Strategy & Policy Committee **Date:** 28 June 2012

Report Name: Proposed Hamilton City Cemeteries and Crematorium Bylaw 2012 - Hearing Report. **Author:** Tegan McIntyre

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>This item effects the operation of the Cemetery and Crematorium.</i>
Financial status	<i>There is budget allocated through SAP #810 (Bylaw review) in 2011/2012. Amount \$20,000 to cover all bylaw reviews.</i>
Assessment of significance	<i>Having regard to the decision making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance</i>

1. Purpose of the Report

- This report summarises the submissions received on Council's Proposed Hamilton City Cemeteries and Crematorium Bylaw 2012. The analysis is provided to help inform the hearing process and Council's subsequent deliberations and decision making.

3. Executive Summary

- Council adopted a statement of Proposal (including the Proposed Hamilton City Cemeteries and Crematorium Bylaw 2012) for public consultation on 15 March 2012.
- Public consultation opened on 27 March 2012 and closed on 27 April 2012.
- In total 40 submissions were received, 38 were in support of the proposed bylaw (one submitter not supporting the bylaw and one submitter not had not stated preference). Two submitters wish to be heard in support of their submission.
- Key issues raised relate to;
 - Support for inclusion of Natural Burials into the bylaw
 - Minor corrections within the bylaw and clarification of definitions
 - Council's authority under legislature to stipulate conditions for embalming and clothing conditions within the bylaw
 - Clarification of denominational areas
- The hearings are scheduled for 28 June 2012.
- Staff recommend minor changes to the bylaw relating to corrections and explanation of definitions.

10. Recommendation/s from Management

- That the report be received
- That for reasons outlined in the submission analysis report and section 26 of this report,

Council approve the proposed changes to the Bylaw.

13. Attachments

14. Attachment 1 - Submission Analysis Report
15. Attachment 2 - Copy of full submissions

16. Key Issues

17. Background

18. On 15 March 2012, Council resolved that the proposed Hamilton City Cemeteries and Crematorium Bylaw be approved and made available for public consultation as required under the Local Government Act 2002.

19. Consultation Process

20. Submissions on the proposed bylaw were invited over one month with the closing date for submissions being 27 April 2012. The bylaw was circulated to interested parties and copies were also made available at all public libraries. A public notice was placed in the 'Hamilton Press' in March 2012 and notices were also posted on Council's website and Facebook page. A public information meeting was held in March 2012. There were also two separate media releases. Submissions were invited to be received by both written and electronic online form.

21. 40 submissions were received to the Proposed Hamilton City Cemeteries and Crematorium Bylaw 2012 as follows;

- Sub 001 Norman Robins
- Sub 002 Judith McDonald
- Sub 003 Jane Landman representing SEKCA
- Sub 004 Moira Cursey
- Sub 005 Lois Brooks
- Sub 006 Jan Graham
- Sub 007 Alison and Mark Ewing
- Sub 008 Mr. Hancock representing Artline Memorials
- Sub 009 Peter Calvert representing Agape Schoolnz
- Sub 010 Lisa James
- Sub 011 Holly Snape
- Sub 012 Glennis du Chatenier
- Sub 013 Paul van Wering
- Sub 014 John and Bunny Mortimer
- Sub 015 Paul James Lynch
- Sub 016 Beverly Thorn
- Sub 017 Margaret Henshaw
- Sub 018 Karen Robertson
- Sub 019 Karewn Penainson
- Sub 020 Simona Shanks
- Sub 021 Donna Sands-Donald
- Sub 022 Melanie Heald
- Sub 023 Tisza Sarjeart
- Sub 024 Fay Bird
- Sub 025 Anti Chaimontree
- Sub 026 Debra Fleming
- Sub 027 Jill Eastgate

- Sub 028 Anna Spires
- Sub 029 Bryony Chattenton
- Sub 030 Clair Morgan
- Sub 031 Judith Edwards
- Sub 032 Kate Featherstone
- Sub 033 J. Fletcher
- Sub 034 Chris Catchpole
- Sub 035 Dale Lethbridge
- Sub 036 Scott Townsend representing Elevateg
- Sub 037 Philip Woolerton
- Sub 038 Geoff Knox
- Sub 039 Adrian Fetherstone
- Sub 040 Lance Kendrick Convenor representing St Andrew's Presbyterian Church.

22. The following submitters have requested to be heard.

- Sub 017 Margaret Henshaw
- Sub 040 Lance Kendrick

23. Submission Analysis

24. A Submissions Analysis Report has been prepared (Attachment 1). It outlines the submission issues, staff comments and any proposed amendments to the Bylaw in response to the submissions.

25. The following table provides a summary of the key issues

Key Issue	
The Proposed Hamilton City Cemeteries and Crematorium Bylaw 2012	
Definition	<ul style="list-style-type: none"> • Requested that public be consulted on a definition of 'natural burial'. • Requested that 'religious denomination' be added into section 5.1 definitions, due to the frequent use of the term within the bylaw and possible assumptions made to mean Jewish and Muslim religion. • Requested that the phrasing for the definition for denominational areas be reworded to bring more clarity to the definition.
Authority to stipulate conditions under the Legislature the bylaw is made	<ul style="list-style-type: none"> • A submitter is concerned that The Local Government Act 2002 may not clearly give powers to stipulate and set conditions regarding the preserving/not preserving of bodies and over the nature of clothing which contains the body. • A submitter is concerned that The Burial & Cremation Act 1964 did not give powers under S16 regarding the above embalming and clothing issue. • A submitter commented that as biodegradable materials did not assist future exhumations/retirement, the need for 100 years certainty that the site not be used for such things as roading and highlighted the appropriateness for the next of kin to enter into an agreement not to seek relocation of the remains.
Size of Memorials	<ul style="list-style-type: none"> • A submitter expressed concern that introducing options for two sizes of memorials in the Birch Lawn would take away the uniformity of the Birch Lawn.
Natural Burial	<ul style="list-style-type: none"> • Concern that not disallowing synthetic button on clothing might 'put

	people off' natural burials
Denominational Areas	<ul style="list-style-type: none"> • Allowing complete non-toxic embalming using certified organic compounds where there are delays occur between death and burial • Expressed concern that, while attempting to be inclusive of various religions/denominations the text of the draft bylaw <i>could</i> in future be used to foster exclusiveness, such as with erection of central monuments, and the council's setting-apart of land areas presumably for no fee but at considerable cost to ratepayers.
Finding graves or ashes	<ul style="list-style-type: none"> • Proposed that 'electronic finding kiosks' be dotted strategically around the grounds and tracking systems should include GPS.
Other issues raised	<ul style="list-style-type: none"> • p3 Line 3 Burial Warrant - remove comma after "Means a(,) certificate • p3 Denominational Areas - Add plural possibly....denomination(s) • p5 Sect 15.1.e - add comma after Disturb, damage.... • p8 sect21.1.h - add 'may'...natural stone, <i>may</i> be embossed... • p9 line 4 sect.21.2.e - perhaps include definition of 'edged' in definitions? • p9. Sect 21.3.b - add space.. memorial may be • p14 sect.28.3.b - change adjective...knowing...to adverb knowingly... • Listing 'denominational areas' as a separate part of the Bylaw • Section 11.1 ends in mid-sentence • Section 13.1.f completes a double negative • Section 15.1.d lists what may not be removed from any grave – the list should include 'body'. • The heading of Part II: Cemeteries be re-named Part II : Burials • Section 20.3.c, the 'novelty items' be expanded without being too draconian. • Last sentence of clause 21.1.h is lacking the instruction 'shall' or similar • Correct the misprint in section 29.1 outlines –outlined.

26. Staff responses

27. The submissions analysis report (Attachment 1) outlines a detailed staff response to submissions to the bylaw review. It is felt that the majority of issues raised by submitters are either already dealt with adequately by the bylaw or are to be dealt with operationally.
28. However, there were some areas where staff consider the Bylaw would benefit from changes which include the following:
- Removing the reference to specific denominational groups from table 18.1 and including a definition for 'religious denomination' into the bylaw.
 - Addressing sentence structure and grammar/tense correction within the bylaw as outlined in the submission analysis report.

29. Financial and Resourcing Implications

30. The review of the bylaw is being completed in-house with existing resources and requires no funding.

31. Risk

32. The bylaw review process had identified the need for authorised officers to have proper training and understanding of the bylaw. Appropriate authorised officers will be trained and updated warranted cards will be provided in order to enforce the new bylaw.

Signatory

Authoriser	Lance Vervoort, General Manager Community
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Item 6

Submissions on Section 22 - Natural Burials

Submitter(s): 001, 002, 003, 004, 005, 006, 007, 010, 011, 012, 013, 014, 017, 017, 018, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028, 029, 030, 031, 033, 034, 035, 036, 039		
Submitter Comments	Staff Comment	Staff Recommendation
General support for provisions of Natural Burial <ul style="list-style-type: none"> • In Favour of Eco-burials • low cost of maintenance • low impact on environment • environmentally responsible • more personal options • supports personal preferences • nature friendly support of living memorials and tributes	Comments Noted.	No change recommended.

Submitter: 0016		
Submitter Comments	Staff Comment	Staff Recommendation
Supports concept of natural burials. Concerned that a nearby cremation service close by may be counter to the concept e.g. cremation and embalming fluids cause contamination.	Comments noted.	No change recommended.

Submitter: 032		
Submitter Comments	Staff Comment	Staff Recommendation
Support of Natural Burial and environmentally friendly options available. Requests consultation on what constitutes a natural burial	Comments noted. The proposed bylaw clearly defines what a natural burial area (S.5), within the definition statement includes the following - "burial of bodies or ashes where the body is not embalmed and is contained in a casket or shroud, made of biodegradable materials and the grave is not marked with any permanent memorial".	No change recommended.

Submitter: 037		
Submitter Comments	Staff Comment	Staff Recommendation
<p>Supports natural burial.</p> <p>Concerned that, aspects such as not allowing synthetic buttons on clothing etc may put people off.</p> <p>Notes that complete non-toxic embalming using certified organic compounds is permitted and often necessary when delays occur between death and burial.</p>	<p>Comments noted</p> <p>The cemetery will provide education and information to families and funeral directors about what is allowable. Synthetic buttons, false teeth and artificial hip/knee joints will not prohibit the person being buried in the area. Common sense will prevail with these matters.</p> <p>The preference is for sanitisers to be used to ensure that the body breaks down as quickly as possible. Sanitisers will delay decay for approximately 7 days.</p>	<p>No change recommended.</p>

Submitter: 015		
Submitter Comments	Staff Comment	Staff Recommendation
<p>The Local Govt Act does not clearly give powers to stipulate and set conditions regarding the preserving/not preserving of bodies and over the nature of clothing which contains the body.</p>	<p>Comments noted.</p> <p>The Local Government Act 2002, section 146(b) gives the power to territorial authorities to manage, regulate against, or protect from damage, misuse or loss or for preventing the use of, the land, structures, or infrastructure associated with cemeteries. Section 145 of the Act gives Council to power to protect, promote and maintain public health and safety. These two sections of the Act allow Territorial Authorities to manage cemeteries and set regulations for the management of the facility. Setting standards and rules for natural burials is deemed to fall under cemetery management.</p>	<p>No changes recommended.</p> <p>The type of clothing and embalming requirements listed in the bylaw are in-line with the nature and ethos of natural burials.</p>
<p>The Burial & Cremation Act does not give powers under S16 re the embalming of clothing either.</p>	<p>The Burial and Cremation Act 1964, section 4(1) and (2), authorises local authorities to provide, establish and maintain suitable cemeteries, where sufficient provision is not otherwise made.</p>	<p>No changes recommended.</p> <p>The type of clothing and embalming requirements listed in the bylaw are in-line with the nature and ethos of</p>

	<p>Section 5 of this Act also gives powers to local authorities to control and manage cemeteries under their control. Section 16(1) states that a local authority may make bylaws for all or any of the purposes listed under 16(1). 16(1)(a) states “Maintaining, preserving, and embellishing the cemetery or closed cemetery.</p> <p>While this Act does not address the issue of specific matters such as embalming or clothing, the act does clearly give local authorities the power of making bylaws to maintain and preserve cemeteries in order to protect, promote public health and safety.</p>	natural burials.
As biodegradable materials do not assist with any future exhumations/retirement there would need to be at least 100yr certainty that the site was not going to be used for roading etc.	Section 21 of the Burial and Cremation Act 1964 prohibits Council from using the land for any purpose except authorised in this Act.	No changes recommended.
It might also be appropriate that the next of kin enter into an agreement not to seek relocation of the remains.	<p>Comments noted.</p> <p>Under section 51 of the Burial and Cremation Act 1964, it is not lawful to remove any body or remains for the body from a burial place without licence under the hand of the Minister (of Health) in accordance with such constitutions as he may prescribe. Section 55 of this Act makes references to unlawful exhumation. Therefore it is seen that legislature and the bylaw reinforces sufficiently the issue of unlawful removal. The bylaw should also be flexible enough for a family member to remove the body or remains from the cemetery, should they obtain a licence from the Minister.</p>	No change recommended to the bylaw as the Burials and Cremation Act 1964 already addresses the issue of exhumation and the bylaw makes direct reference to the relevant sections of the Act.

Submissions on Section 21 - Measurement of Memorials

Submitter: 008

Submitter Comments	Staff Comment	Staff Recommendation
<p>Low rise areas are designed to be uniform, introducing the options for two sizes in the Birch lawn, takes away the uniformity of the Birch Lawn. And once a variation is allowed (by way of the two choices) then the uniformity of the Birch Lawn is lost.</p> <p>If people wished to have a different choice in size they should look at the Oak Lawn.</p>	<p>Comments noted.</p> <p>The introduction of two choices in the Low rise areas (Birch Lawn) does not take away the uniformity of the Lawn. The proposed bylaw makes it compulsory for families to purchase a 'base' for this section of the cemetery. The introduction of two options is to provide customers with a cheaper option, where affordability is an issue. Introducing the extra option gives the customers the opportunity for their loved ones to be buried in this lawn rather than the Oak Lawn if this is the family's preference.</p>	<p>No changes recommended.</p>

Submissions on Section 19 – Exhumations

Submitter: 009		
Submitter Comments	Staff Comment	Staff Recommendation
<p>Support of cremation, support of exhumation of bodies for cremation. Commend HCC for their willingness to maximise the efficacy of disposal procedures.</p>	<p>Comments noted</p>	<p>No changes recommended.</p>

Submissions on Section 24 – Denominational Area

Submitter: 040		
Submitter Comments	Staff Comment	Staff Recommendation
<p>Generally favour updating the bylaw.</p> <p>Concern that in its attempt to be inclusive of various religions/denominations the text of this draft Bylaw could in future be used to foster exclusiveness, e.g. with erection of central monuments, and Council setting apart land areas presumably for no fee but at considerable cost to ratepayers.</p> <p>Recommend removing provision for erection of central monuments, as provided in section 24.2 which permits a denomination to place “a central monument and/or sign within the designated area subject to the plans being approved by Council”.</p>	<p>Comments noted.</p> <p>The intent of allowing central memorials and setting aside areas of land is to create a sense of belonging and is mandated through legislation. Section 11 of the Burial and Cremation Act 1964 state that Council may set apart portions of the cemetery to be used only for the burial of the bodies of members of such denomination. It is not Councils intent to create situations of exclusiveness.</p> <p>Cemetery and crematorium services are user pays. The ‘setting apart’ land areas will place no additional costs on ratepayers. The denominational areas do not cost any additional finances to operate as the management of these areas are part of the cemetery as a whole. People buried in this area of the cemetery, would still have to pay for the plots and services as any other lawn or area of the cemetery. Proposed memorials/signage would be subject to the applicant’s proposal being approved by Council and the religious denominational group would incur all the costs.</p> <p>The intent of allowing of the signage/memorial is to create a sense of belonging. Section 12 of the Burial and Cremations act state that ‘the local authority shall define by suitable marks, not being a dividing fence, any portion of the cemetery set apart under section 11 of this Act and any such portion may, at the expense of the particular religious denomination, be enclosed with any suitable open fence of a character that</p>	<p>No change recommended.</p>

<p>Instead, individual headstones (or plaques for ashes) carry recognisable faith or cultural or ethnic symbols.</p> <p>Recommend removing provision for “setting apart” land mentioned in the definition for “denominational areas” due to practical difficulties.</p>	<p>will not mar the general appearance of the cemetery.</p> <p>Individual headstones and memorials must comply with the standards already set within the bylaw. The current standards do not limit individuals from incorporating religious symbols into the memorial or headstone as long as they do not exceed the specifications (measurements) prescribed.</p> <p>There are no practical difficulties identified to-date, as each application is assessed and follows the process set out in the Burial and Cremations Act 1964, the bylaw and the Standard Operating Procedure of the Cemetery.</p>	
<p>Adding in ‘religious denomination’ as a definition to section 5.1 of the bylaw – as the terminology is used within the bylaw.</p> <p>Concern that religious denomination is assumed to mean Jewish and Muslim as indicated in 18.1 when describing plot dimensions.</p>	<p>Comments noted.</p> <p>Religious denominations are not assumed to be a reference to two specific groups. Section 18.1 is a table where specific plot grave dimensions are stated. Currently only two denominational areas exist within the cemetery, hence the reason to specifically state measurements for these two areas of the cemetery. However, staff agree that including specific reference to these two religious denominations could cause confusion and the provision of the definition of the term would provide more clarity to customers.</p>	<p>Removal of specific reference to Jewish and Muslim denomination within the bylaw.</p> <p>Addition of ‘religious denomination’ as defined in the Burials and Cremation Act 1964 to section 5 to offer clarification of the term. “Religious denomination means the adherents of any religion and includes any church, sect, or other subdivision of such adherents”.</p>
<p>Concern that under the proposed bylaw, there could be requests for Hamilton City Council to provide areas for ‘sects or other sub-divisions’ pertaining to Christianity or other religions or even cults.</p>	<p>Staff acknowledges the concern, however do not see an issue with groups being able to express and interest or put forward an application to be considered.</p> <p>Under section 11 of the Burial and Cremation Act 1964, denominational groups can put forward an application to council for consideration for a denominational area. And section 11(2) states that if a local authority refuses the application, the governing body so applying may appeal</p>	<p>No change recommended.</p>

	against the decision of the local authority to any District Court Judge.	
Concern that there might be disputes as to the entitlement of who could be interred in any given denominational areas e.g. spouses and partners, but also variant believers.	Comments noted. Staff do not view dispute resolution relating to entitlement of who can be interred in any given denominational area as a bylaw issue. However, should this become an issue for staff, it could be addressed within management guidelines e.g. Cemetery operation manual. The current practice includes signing a memorandum of understanding.	No change recommended.
Concern Council may need to rule on what is a valid “denomination” if there are requests for a future land area to be designated. Requests the term “faiths” replace “religious denomination” and an Appendix be added to the draft Bylaw containing a sample Memorandum of Understanding.	Comments noted. The bylaw includes definition of what council considers to be denominational areas and have proposed to add a definition for ‘religious denomination’. This would act as a guide to process application as received from different religious denominations. The actual process of processing applications is an operational matter therefore should be addressed outside the bylaw. A memorandum of understanding would be an operational document and therefore not appropriate to be included in the bylaw as a schedule.	No change recommended.
Notes the close link between “religious denominations” and cultural or ethnic groupings. Questions how requests by such groups for separate areas will be handled under the bylaw as not clearly defined by Central government.	Comments noted. Consideration of ethnic groups and cultural groups have not been identified as an issues in the past or in this review. Therefore council has not had the need to look into this area. However, should a cultural group express an interest in setting apart an area, council will approach processing the application as it would an application for setting apart a denominational area.	No change recommended.
Suggests clauses about “denominational areas” be placed in a separate section of the Bylaw text to allow for memorials and burials.	Comments noted. The current bylaw is framed within two parts. Part I: General, Part II: Cemeteries, and Part III: Crematorium. Denominational areas are currently addressed as a separate section under Part II Cemeteries. Other separate sections under Part II are natural burials, Services Cemeteries	No change recommended.

Questions definition of “denominational areas” in draft section 5.1, Definitions, page 3: suggest the meaning should read; “any land within a cemetery set apart – under this Bylaw or on the grant of an application made under this Bylaw – for one or more religious denominations to bury their dead in separate areas”.	Comments noted. The current definition “Denominational areas means any land within a cemetery set apart under this bylaw or on the grant of an application made under this bylaw, for the burial of the deceased belonging to one or more religious denomination”. This definition is in line with the Burial and Cremation Act 1964.	No change recommended.
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Other issues raised

Submitter: 009; 040		
p3 Line 3 Burial Warrant - remove comma after "Means a(,) certificate	Comments noted	Remove the comma as requested “Means a certificate....”
p3 Denominational Areas - Add plural possibly....denomination(s)	Comments noted. The term “denominational areas’ imply more than one denomination.	No change recommended.
p5 Sect 15.1.e - add comma after Disturb, damage....	Comments noted.	Add comma as requested. Disturb, damage....
p8 sect21.1.h - add 'may...natural stone, may be embossed... Instruction “shall” or similar. [“The lettering, in the case of natural stone, shall be embossed or incised...”]	Comments noted. Addition of ‘may’ implies optional.	Addition of ‘shall’ is recommended in order to clarify the intention.
Suggest- p9 line 4 sect.21.2.e - include definition of 'edged' in definition	Comments noted. Edged is a commonly used word in English, the use of term ‘edged’ is no different to the use of the term in common usage such as ‘edging the lawn or garden’.	No change recommended.
p9. Sect 21.3.b - add space.. memorial may be	Comments noted.	Add space between to read “may be...”
p14 sect.28.3.b - change adjective...knowing...to	Comments noted.	Change adjective as requested to read

adverbial knowingly...		“knowingly’
Section 11.1 ends in mid-sentence.	Comments noted. Staff have reviewed the sentence structure and have not found the referred sentence to be incomplete.	No change recommended.
Section 13.1. f) completes a double-negative;	Comments noted.	The following change recommended: “13.1 No person shall take into or allow remaining in any cemetery any dog or other animal except the following, without the consent of the Cemetery Manager. a)....”
Section 15.1. d) lists what may not be removed from any grave: include ‘body in this list.	Comments noted. Section 19 of the proposed bylaw already addresses the issue of exhumations.	No change recommended.
For the benefit of lay-people , Rename Part II: CEMETERIES as Part II: BURIAL	Comments noted. The Cemeteries currently also allow for interment of ashes within the plots as well as burial of bodies. Renaming the area would cause added confusion to customers.	No change recommended.
‘Novelty items’ to be expanded without being too draconian.	Comments noted. If the term is expanded to include specific details, the action would have the unintended effect of becoming too ‘draconian’.	No change recommended.
Fix misprint in section 29.1.: outlines – to outlined.	Comments noted.	Change the wording “penalty provisions outlines in the...” to “penalty provisions outlined in the...”
Suggests Install electronic kiosks around the ground to find graves or ashes	Comments noted. Operational issue and clarification that would not need to be addressed within a bylaw.	No change recommended.
Asks whether “cemetery tracking system” referred to in 22.2. b) Will include GPS.	Comments noted. Operational issue and clarification that would not need to be addressed within a bylaw.	No change recommended.

From: raewyn.napier@hcc.govt.nz
To: [Raewyn Napier](#)
Subject: Cemeteries & Crematorium Bylaw review submission from website
Date: Monday, 26 March 2012 08:14:26

Name: Norman Robins
Organisation:
Address: 8 Valley Terrace, Hamilton 3204
Daytime Phone: 07 8571821
Evening Phone: 07 8383481
fax: 07
Email: norm.robins@aecon.com
Speak at Council Hearing: No
Support for-not Bylaw in principle: Yes
Comments - Bylaw: I strongly support the proposed provision for natural burials

From: raewyn.napier@hcc.govt.nz
To: [Raewyn Napier](#)
Subject: Cemeteries & Crematorium Bylaw review submission from website
Date: Monday, 26 March 2012 12:06:13

Name: Judith McDonald

Organisation:

Address: 29 Claude St, Hamilton 3214

Daytime
Phone: 07 8552019

Evening
Phone: 07 8552019

fax: 07 8552012

Email: judy.c.mcdonald@gmail.com

Speak at
Council No

Hearing:

Support for-
not Bylaw in Yes
principle:

Comments - Section 22, Natural Burials. I support this and would like to see it
Bylaw: introduced as an option. It lowers the general impact on the
environment and reduces maintenance costs. In addition it is
sympathetic to the wishes of a growing number of people.

From: raewyn.napier@hcc.govt.nz
To: [Raewyn Napier](#)
Subject: Cemeteries & Crematorium Bylaw review submission from website
Date: Monday, 26 March 2012 17:10:56

Name: Jane Landman
Organisation: SEKCA
Address: 53 Wellington St Hamilton East Hamilton 3216
Daytime Phone: 07 9294879
Evening Phone: 07 8567045
fax: 07 8583475
Email: waimarieham@xtra.co.nz
Speak at Council Hearing: No
Support for-not Bylaw in principle: Yes
Comments - Bylaw: Strongly support natural burials

From: raewyn.napier@hcc.govt.nz
To: [Raewyn Napier](#)
Subject: Cemeteries & Crematorium Bylaw review submission from website
Date: Monday, 26 March 2012 21:32:08

Name: Moira Cursey
Organisation:
Address: 31 Friesian Place, Hamilton 3200
Daytime Phone: 07 8465066
Evening Phone: 07 8465066
fax: 07
Email: m.cursey@xtra.co.nz
Speak at Council Hearing: No
Support for-not Bylaw in principle: Yes
Comments - Bylaw: I support the provision of natural burial in addition to the current options of cremation and interment in the lawn cemetery as proposed in Clause 22 of the bylaw.

From: raewyn.napier@hcc.govt.nz
To: [Raewyn Napier](#)
Subject: Cemeteries & Crematorium Bylaw review submission from website
Date: Tuesday, 27 March 2012 16:50:09

Name: Lois Brooks
Organisation:
Address: 27 Government Rd RAGLAN 3225
Daytime Phone: 07 8250252
Evening Phone: 07 8250252
fax: 07
Email: loisybrooks@hotmail.com
Speak at Council Hearing: No
Support for-not Bylaw in principle: No
Comments - Bylaw: Natural Burial grounds need to be provided in Hamilton.

Note : on 3/5/12 Ihsana spoke to Lois, wanting to clarify her submission. Lois stated that she thought the bylaw did not make provisions for Natural Burial and further, would allow Natural Burials to happen. Upon further explanation of the bylaw, she said, she wanted to support Natural Burials, and if the bylaw supports Natural Burials then she would like to support the bylaw.

From: [Liz Hallsworth](#)
 To: [Raewyn Napier](#)
 Subject: RE: Submission on Natural Burials
 Date: Monday, 2 April 2012 08:51:48

From: Jan Graham [\[mailto:grahamje@xtra.co.nz\]](mailto:grahamje@xtra.co.nz)
 Sent: Monday, 2 April 2012 8:49 AM
 To: Liz Hallsworth
 Cc: Ihsana Ageel; Raewyn Napier
 Subject: RE: Submission on Natural Burials

P 8559507 and no I don't wish to be heard
 Thanks liz

From: Liz Hallsworth [\[mailto:Liz.Hallsworth@hcc.govt.nz\]](mailto:Liz.Hallsworth@hcc.govt.nz)
 Sent: Monday, April 02, 2012 8:43 AM
 To: Jan Graham
 Cc: Ihsana Ageel; Raewyn Napier
 Subject: RE: Submission on Natural Burials

Hi Jan

Thank you very much for your submission. In order for your submission to be complete we also require your phone number and could you please tell us if you would like to be heard in relation to your submission.

Kind regards

Liz Hallsworth
 Project Manager - Policies and Bylaws

DDI: 07 838 6642 | Email: liz.hallsworth@hcc.govt.nz



Hamilton City Council | Private Bag 3010 | Hamilton 3240 | www.hamilton.co.nz

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From: Jan Graham [\[mailto:grahamje@xtra.co.nz\]](mailto:grahamje@xtra.co.nz)
 Sent: Monday, 2 April 2012 8:33 AM
 To: Submissions
 Subject: Submission on Natural Burials

Dear Submissions

I think that natural burials are definitely an option I would consider. Please take this email as approval for this proposal.

With natural burial there is no embalming, caskets etc. must be biodegradable and there are no permanent memorials. Subsequently the natural burial area will be fully planted and returned to vegetation, thereby reducing ongoing maintenance costs.

Kind regards

Jan Graham

PO Box 9200,
Hamilton 3240
grahamjc@xtra.co.nz

From: [A & M Ewing](#)
 To: [Raewyn Napier](#)
 Subject: Re: Natural Burial submission
 Date: Thursday, 5 April 2012 13:10:15

Hi Reawyn
 0276555187

No I don't want to be heard and yes I do support the existing cemetery bylaw be revoked and replaced

Kind regards

Alison

On 5/04/2012, at 12:03 PM, Raewyn Napier <Raewyn.Napier@hcc.govt.nz> wrote:

Thank you for your email.

Can you please provide me with the following information:

- Contact phone number
- Indicate if you wish to speak about your submission at a Council hearing
- Do you generally support that the existing Hamilton City Cemeteries and Crematorium Bylaw 2008 be revoked and that it be replaced with the Hamilton City Cemeteries and Crematorium Bylaw 2012?

Many thanks

Raewyn Napier

Unit Administrator | Strategy & Research

DDI: 07 838 6537 | Email: raewyn.napier@hcc.govt.nz

From: A & M Ewing [<mailto:alisonmarkewing@xtra.co.nz>]
 Sent: Monday, 2 April 2012 3:30 PM
 To: Submissions
 Subject: Natural Burial submission

We would like to make a submission in favour of the natural burial proposal in Clause 22 of the cemeteries bylaw.

Alison & Mark Ewing
 61A Cherry Lane
 Hamilton 3283

Hamilton City Cemeteries and Crematorium Bylaw 2008 Review

SECTION 1 Please print your details clearly

Name: Mr/~~Mrs/Miss/Ms~~ **Hancock** Organisation: **Artline Memorials**
 Address: **188 State Highway 26**
Hamilton R.D.6
 Phone: (day) **07 856 7878** (evening) **07 8584275**
 Email: **Memorials@artline.co.nz**

Please note that any submissions made will be available to the public, and the hearings on this will be open to the public.

Important

Do you wish to speak about your submission at a Council hearing?

Yes ☐No ☒

If you do not tick a box we will assume that you do not wish to speak at a hearing.

SECTION 2 Please print clearly

Do you generally support that the existing Hamilton City Cemeteries and Crematorium Bylaw 2008 be revoked and that it be replaced with the Hamilton City Cemeteries and Crematorium Bylaw 2012?
 (Please circle) Yes / No

Where appropriate please write the section of the Bylaw at the start of each comment.

Section of Bylaw: **Section 21 Subsection 21.4 (g)**

Comment(s): **Low rise areas are designed to be uniform**
Sizes in this section (g) are permitted in the Oak lawn
Full sized low rise are not permitted in the oak lawn
There is no benefit to duplicate what is permitted in other lawns
Once a compromise is accepted & variation allowed the uniformity of
the lawn is removed. Clients can accept uniformity at time of burial
or choose the freedom offered in the Oak lawn

Section of Bylaw: _____

Comment(s): _____



From: [Have your Say](#)
 To: [Raewyn Napier](#)
 Subject: Cemetery Bylaw 2008 Review - Peter Raymond Calvert
 Date: Thursday, 19 April 2012 12:50:53

[Have your Say](#)

Peter Raymond Calvert has been added

Modify my alert settings	View Peter Raymond Calvert	View Cemetery Bylaw 2008 Review	Mobile View
--	--	---	-----------------------------

Your full name:	Peter Raymond Calvert
Organisation (if applicable):	AgapeSchoolinz
Your address:	43C Sillary St POBox 7145 HamEast 3247
daytime phone number:	078080484
Evening phone number:	078080484
Fax:	
Email:	prc1747@gmail.com
Do you wish to speak about your submission at a Council hearing?:	No
Do you generally support that the existing Hamilton Cemeteries and Crematorium Bylaw 2008 be revoked and that it be replaced with the Hamilton City Cemeteries and Crematorium Bylaw 2012?:	Yes
General comments regarding content of proposed Bylaw. Where appropriate reference any clauses that you are referring to:	Will submit details on paper as my submission earlier today using this webpage was not received.

Last Modified 19/04/2012 12:49 p.m. by System Account

Hamilton City Cemeteries and Crematorium Bylaw 2008 Review

SECTION 1 Please print your details clearly

Name: Mr/Mrs/Miss/Ms Peter Calvert Organisation: Agape Schooling

Address: 43C Sillars St

(Postal) PO Box 7145 Ham East 3247

Phone: (day) 078080484 (evening) 078080484

Email: prc1747@gmail.com 021 0335417

Please note that any submissions made will be available to the public, and the hearings on this will be open to the public.

Important

Do you wish to speak about your submission at a Council hearing?

Yes ☐

No ☒

If you do not tick a box we will assume that you do not wish to speak at a hearing.

SECTION 2 Please print clearly

Do you generally support that the existing Hamilton City Cemeteries and Crematorium Bylaw 2008 be revoked and that it be replaced with the Hamilton City Cemeteries and Crematorium Bylaw 2012?

(Please circle) Yes / No

Strategic Group

19 APR 2012

Where appropriate please write the section of the Bylaw at the start of each comment.

Section of Bylaw: _____

Comment(s): _____

Please see on line submission also attachment to this form

Section of Bylaw: _____

Comment(s): _____

12:15

P This is a second attempt at making this recording on this day 20120418 now 12:15. The original recording at 11:44 was not captured due to misplaced plugs. However all seems to be in order at this point and so I'll again request or (more accurately) respond to the spiritual request originally received to attend the HCC Cemeteries and Crematorium Bylaw 2008 Review initial meeting. And now, having read the information pack, to respond in the way appropriate and as again spiritually requested:

^We come again in order to facilitate the dialogue between the community at large and this individual in particular and ourselves, to the Hamilton City Council as controlling authority in relation to the interment and/or otherwise disposal of deceased bodies within their jurisdiction.

The review is timely, it is adequate, it need not be commented upon further, merely to say that apart from the typographic errors or other detail in the document, we have found no basis for disagreement with the procedures planned. As such they properly accommodate the needs and preferences of the almost complete majority of those individuals resident within this city.

However, coming as we do from a different location, our opportunity is to favourably influence the understanding of those individuals duly authorised by the population at large to organise the lives of those individuals comprising that population and properly allow for the disposal through interment or cremation of the bodies of those individuals.

What fails to be addressed and appropriately so is the understanding of the population at large as to the distinctions between the disposal of the physical body as a remnant abode for the identity in question, regarding any particular individual, that is.

The situation at death is to first leave a physical body, which is necessarily disposed of

appropriately. From the perspective of individuals who remain associated with or attached to on the emotional level, that individual's disposed body, then there is a contribution we wish to make in terms of an accurate description of where that individual is best led to by their beliefs and expectations, in contrast with such beliefs and expectations as they may have derived from the current community or historical community.

In order to facilitate understanding of this we outline briefly the facts of destination of an identity who used to associate with their body but now, due to its demise, no longer does so.

The belief-set held by any individual has the capacity to either liberate them at death or constrain them at death into continued association with the body they once inhabited. The optimal course of events at the end of a body's life is for the individual in question to quickly depart from that and return to the clear light. The beliefs of the person in question may lead them to understand that their proper locus in physicality is to remain in association with their corpse, particularly if that corpse is interred complete rather than being dispersed in any way and particularly as a result of cremation.

This issue is exacerbated by the expectations of those who remain emotionally attached to them who treat the physical location of their interred body as the appropriate place by which to direct their attention in the process of expressing their grief or expressing their desire for ongoing communication with the deceased, even though they may only expect it to be a case of communication with their memory of the deceased. Nevertheless their intention has force in retaining that individual into continued association with its corpse.

We wish to correct this so as to facilitate the appropriately rapid return to the clear light of any such individual who has ended their association with their physical form, by saying that it is optimal to emphasise in the deceased

Peter Calvert

1

See <http://agapeschoolinz.wikispaces.com>

individual's experience of their corpse, by appropriately dissembling it through a process such as cremation, so as to make it abundantly plain to the residual consciousness that it is inappropriate to continue to focus on that as a locus of their attention within the physical domain.

By this means we seek to depopulate cemeteries in general and the Hamilton cemetery in particular by conveying understanding of this viewpoint.

The continued association of the individual with their now ex-body is most efficiently disrupted by the obvious dismemberment of that body into its component parts. And when those component parts are at the scale of the ash granule or smaller and even more-so when those component parts are scattered, then that constitutes an unmistakeable disestablishment of the body as an appropriate focal-point for the attention of the residual identity. That being the case it will quickly understand that continued association with its ex-physical form is no longer appropriate and proceed to the clear light under the best circumstances available to it.

Recognising as we do that there are, potentially, factors encouraging its persistence in the realm of the physical domain, we nevertheless seek to bring understanding into the minds of all concerned that it is inappropriate to so remain there.

And so by these means we wish to advise any enquirer of what we regard as the facts of the situation such as to minimise the possibility of disturbance to any remaining individual, whether relative or associate or any other person by the continued occupancy within the domain of the physical of the remnant of any such now-deceased individual. By this we seek to promote harmonious understanding of a universally recognised understandable fact of what transpires at death, so as to reassure every individual that their proper place is not here at death but to return to the clear light from whence they came prior to embodiment.

And so we seek to convey this as an understanding recognisable within any faith tradition as well as comprising a contemporary restatement of the situation experienced by any person on their demise.

We commend the Hamilton City Council for their willingness to maximise the efficacy of disposal procedures, taking into account the needs and expectations of every resident, and commend their attention to the forgoing.

[1019 words]



2012-04-19

Submission to the Cemetery Bylaw Review

Please add this page to my existing submission.

A few mere typographic corrections/suggestions as follows:

p3 line 3	Burial warrant	Remove comma after "Means a(.) certificate
p3	Denom. Areas	Add plural possibility ... denomination(s).
p5	Sect. 15.1.e)	Add comma after Disturb, damage, ...
p8	Sect. 21.1.h)	Add "may" ... natural stone, may be embossed ...
p9 line 4	Sect. 21.2.e)	Perhaps include definition of *edged* in definitions?
P9	Sect. 21.3.b)	Add space ... Memorial may be ...
P14	Sect. 28.3.b)	Change adjectival ... knowing ... to adverbial knowingly ...

Otherwise I think the Bylaw is adequate as is.

Thank you for allowing this opportunity to contribute ☺

Regards,
Peter

Peter R. Calvert *PGDipSLT, DipRS, DipHyp, CAdTg,* PO Box 7145, Hamilton East, New Zealand 3247
prc1747@gmail.com +64 7 8080 484 or +64210335417 <http://agapeschoolinz.wikispaces.com>

From: [Have your Say](#)
 To: [Raewyn Napier](#)
 Subject: Cemetery Bylaw 2008 Review - Lisa James
 Date: Friday, 20 April 2012 09:40:25

[Have your Say](#)

Lisa James has been added

Modify my alert settings View Lisa James View Cemetery Bylaw 2008 Review Mobile View	
Your full name:	Lisa James
Organisation (if applicable):	
Your address:	41 Bettina Road Hamilton 3214
daytime phone number:	021 472 957
Evening phone number:	07 852 5537
Fax:	
Email:	kalebandlisa@clear.net.nz
Do you wish to speak about your submission at a Council hearing?:	No
Do you generally support that the existing Hamilton Cemeteries and Crematorium Bylaw 2008 be revoked and that it be replaced with the Hamilton City Cemeteries and Crematorium Bylaw 2012?:	Yes
General comments regarding content of proposed Bylaw. Where appropriate reference any clauses that you are referring to:	
Last Modified 20/04/2012 9:37 a.m. by System Account	

From: [Have your Say](#)
 To: [Raewyn Napier](#)
 Subject: Cemetery Bylaw 2008 Review - Holly Snape
 Date: Friday, 20 April 2012 13:50:25

[Have your Say](#)

Holly Snape has been added

Modify my alert settings	View Holly Snape	View Cemetery Bylaw 2008 Review	Mobile View
Your full name:	Holly Snape		
Organisation (if applicable):			
Your address:	43 Slim Street Melville Hamilton		
daytime phone number:	0211522133		
Evening phone number:	07 843 7277		
Fax:			
Email:	hollysnape@hotmail.com		
Do you wish to speak about your submission at a Council hearing?:	No		
Do you generally support that the existing Hamilton Cemeteries and Crematorium Bylaw 2008 be revoked and that it be replaced with the Hamilton City Cemeteries and Crematorium Bylaw 2012?:	Yes		
General comments regarding content of proposed Bylaw. Where appropriate reference any clauses that you are referring to:	I am particularly pleased to see the council considering Natural burials. This is an environmentally responsible and culturally respectful proposal and I sincerely hope it is adopted by this council.		

Last Modified 20/04/2012 1:49 p.m. by System Account

From: [Glennis du Chatenier](#)
To: [Submissions](#)
Subject: natural burial grounds
Date: Friday, 20 April 2012 15:09:40

I support the use of natural burial grounds and hope that one will be available in Hamilton by the time I need it.

As the population becomes older each year it is obvious that more cemeteries will be required. With no embalming and bodies able to decompose at a much quicker rate certainly makes it more environmentally friendly. With trees planted in place of head stones the maintenance will eventually be far less and so economically more viable.

For me to visit a forest in place of a cemetery to talk to lost loved ones is a far more attractive idea. A natural burial ground in Hamilton gets my support 100%

Glennis du Chatenier,

2 A Jellicoe dr,

Hamilton

Note: telephoned Glennis - 30/4/12 : No does not want to speak in support of hearing.

Generally supports existing 2008 Bylaw be revoked and replaced with 2012 Bylaw.

From: [Paul van Wering](#)
 To: [Raewyn Napier](#)
 Subject: Re: Natural burials at Hamilton Park Cemetery
 Date: Monday, 30 April 2012 12:22:23
 Importance: High

Hello Raewyn,

No I do not wish to speak about my submission thanks and Yes I generally support the replacement of the old act with the new 2012 one.

Paul van Wering

On 30/04/2012, at 10:14 AM, Raewyn Napier wrote:

Thank you for your submission.

1. Could you please indicate if you wish to speak about your submission at a Council hearing.
2. Do you generally support that the existing Hamilton City Cemeteries and Crematorium Bylaw 2008 be revoked and that it be replaced with the Hamilton City Cemeteries and Crematorium Bylaw 2012?

Kind regards

Raewyn Napier

Unit Administrator | Strategy & Research

DDI: 07 838 6537 | Email: raewyn.napier@hcc.govt.nz

From: Paul van Wering [<mailto:freeway@ihug.co.nz>]
 Sent: Friday, 20 April 2012 7:04 PM
 To: Submissions
 Subject: Natural burials at Hamilton Park Cemetery

Dear Sir/madam,

I am very much in favour of having a Natural Burial area of the cemetery to offer people the chance to limit their final impact on the environment.

It is my wish to have such a burial and I would be very pleased if Hamilton is an option when my time comes.

kind regards,

Paul van Wering
 38 Beerescourt Road,
 Hamilton
 Paul van Wering
freeway@ihug.co.nz

From: Fran [<mailto:fjones@xtra.co.nz>]
Sent: Monday, 23 April 2012 10:50 AM
To: Telephone Operators
Subject: NATURAL BURIALS

Please find the attachment for the support of the change of bylaw for Hamilton.

info@hcc.govt.nz

Comments re By Law Change -

NATURAL BURIALS – By Law Change.

We support very strongly the proposed Cemeteries By-Law change if this provides for natural burials and the planting of trees.

Who could want a better end than to be buried in a biodegradable container with no embalming, and using no fossil fuel as in cremations. We would be feeding our precious earth instead of poisoning it.

We would happily decompose under a native forest no matter how long it took! And with no headstone.

If Wellington and New Plymouth can do it, so can Hamilton. But we cannot see why a natural burial costs more than a conventional one.

Can we book two plots please?

Sincerely,

John and Bunny Mortimer.
 4 Galilee Grove,
 Vision Forest Lake Retirement Village
 Te Rapa, Hamilton 3200

Phone 849 8004

23 April 2012

Submission on Proposed Cemeteries ByLaw change.

We congratulate the Council on its move to bring Hamilton into line with other forward thinking cities by providing for natural burials.

We have not seen the Cemeteries Act or its bylaw, but we strongly support any amendment that requires:

- * No embalming or use of poisonous substances on the body.
No treated or artificial materials to be used for the coffin, its lining or handles.
- * The grave to be shallow to allow decomposition to take place.
No headstone to be used, but a system such as GPS be put in place to allow for identification by family or interested people.
- * An appropriate tree to be planted on or near the grave.

We cannot understand why this natural shallow burial should cost more than a conventional one, and hope that some explanation will be given, perhaps at the hearing.

We do not wish to speak at the hearing, but hope our submission will receive sympathetic consideration.

Thank you for giving us the opportunity to make a submission on this most important matter.

John and Bunny Mortimer
4 Galilee Grove, Te Rapa.

Phone 849 8004

From: [Have your Say](#)
 To: [Raewyn Napier](#)
 Subject: Cemetery Bylaw 2008 Review - Paul James Lynch
 Date: Monday, 23 April 2012 12:25:43

[Have your Say](#)

Paul James Lynch has been added

Modify my alert settings	View Paul James Lynch	View Cemetery Bylaw 2008 Review	Mobile View
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Your full name:	Paul James Lynch
Organisation (if applicable):	Ratepayer
Your address:	171 Clarkin Rd Hamilton 3214
daytime phone number:	8248633
Evening phone number:	8558019
Fax:	
Email:	paul.lynych@waidc.govt.nz
Do you wish to speak about your submission at a Council hearing?:	No
Do you generally support that the existing Hamilton Cemeteries and Crematorium Bylaw 2008 be revoked and that it be replaced with the Hamilton City Cemeteries and Crematorium Bylaw 2012?:	No
General comments regarding content of proposed Bylaw. Where appropriate reference any clauses that you are referring to:	<p>The Local Govt Act does not clearly give powers to stipulate and set conditions regarding the preserving/not preserving of bodies and over the nature of clothing which contains the body.</p> <p>The Burial & Cremation Act does not give powers under S16 re the embalming and clothing either.</p> <p>As biodegradable materials do not assist with any future exhumations/reinterments there would need to be at least 100yr certainty that the site was not going to be used for roading etc. It might also be appropriate that the next of kin enter into an agreement not to seek relocation of the remains.</p>

Last Modified 23/04/2012 12:23 p.m. by System Account

From: [Ihsana Aqeel](#)
 To: [Raewyn Napier](#)
 Subject: FW: General feedback ref: HCC-GF-10082 - Submission to Cemeteries Bylaw
 Date: Tuesday, 24 April 2012 15:21:47

Hi Raewyn

This e-mail came through the Telephone operators. I have rung the person, and confirmed that she meant the e-mail to be a submission to the bylaw.

The details missing from the e-mail –which I have confirmed with her are

- Generally supports the bylaw – yes
- Her address (27A Riverglade Drive, RD3, Hamilton, 3283)
- She does NOT wish to be heard.

From: Hamilton City Council Website [\[mailto:do.not.reply@hamilton.co.nz\]](mailto:do.not.reply@hamilton.co.nz)
 Sent: Saturday, 21 April 2012 7:45 PM
 To: Telephone Operators
 Subject: General feedback ref: HCC-GF-10082

Reference: HCC-GF-10082

Feedback type: Other feedback

Several of my friends and myself (in our seventies), are very keen for Hamilton to make provision of land for Natural Burials. Hamilton Park Cemetery seems the suggested location for a possible new burial ground but cremation services closely directly oppose the ideas behind natural burials. Dangerous embalming fluids and the actual cremation process do cause massive contamination of soil and air.

Thank you for considering the progressive idea...also being established now in many cities.

Kind regards
 Beverley Thorn

Preferred contact method: None
 Contact name: not supplied
 Organisation: not supplied
 Email address: bthorn@xtra.co.nz
 Phone number: 0274990041
 Attachment: not supplied

From: [Margaret Henshaw](#)
To: [Submissions](#)
Subject: Natural Burials
Date: Friday, 27 April 2012 13:41:56

I am very much in favor of this being an option in Hamilton. the world is not creating more land and although I can sympathize with those who need a grave stone to remember loved ones I would rather my descendants have the option of enjoying and appreciating our natural surroundings. We have spent most of my life time covering good land with housing, car parks, yet more shopping malls, life style blocks leaving less and less for productive land on which our economy depends.

Let us at least have the option in Hamilton of natural burials that do not pollute the ground and leave something of beauty to grow as our memorial.

I am happy to expand on this subject at any time.

Margaret Henshaw
208 Bankwood Rd
8559411
email henshawme@gmail.com

Note: telephoned Margaret - 30/4/12 : Yes does wish to speak in support at hearing.
Generally supports existing 2008 Bylaw be revoked and replaced with 2012 Bylaw.

Hamilton City Cemeteries and Crematorium Bylaw 2008 Review

SECTION 1 Please print your details clearly

 Name: Mr/Mrs/Miss/Ms Kara Robertson Organisation: _____

 Address: 74 East St

 Phone: (day) 8537933 (evening) _____

 Email: the.peels@xtra.co.nz

Please note that any submissions made will be available to the public, and the hearings on this will be open to the public.

Important

Do you wish to speak about your submission at a Council hearing?

 Yes ☐

 No ☒

If you do not tick a box we will assume that you do not wish to speak at a hearing.

SECTION 2 Please print clearly

Do you generally support that the existing Hamilton City Cemeteries and Crematorium Bylaw 2008 be revoked and that it be replaced with the Hamilton City Cemeteries and Crematorium Bylaw 2012?

(Please circle) Yes / No

Yes!

Where appropriate please write the section of the Bylaw at the start of each comment.

 Section of Bylaw: Part 2 section 22

 Comment(s):
My Mother-in-law is adamant about eco-burial
but can't have this option in Hamilton currently.
An amendment to this bylaw is not only
environmentally friendly but also an old ladies
dying wish.

Section of Bylaw: _____

Comment(s): _____

Hamilton City Cemeteries and Crematorium Bylaw 2008 Review

SECTION 1 Please print your details clearly

Name: Mr/Mrs/Miss/Ms Karen Peterson Organisation: _____

Address: 610 Te Kowhai Rd
RD8 Hamilton.

Phone: (day) 02102266830 (evening) 8297329

Email: petky.karen@slingshot.co.nz

Please note that any submissions made will be available to the public, and the hearings on this will be open to the public.

Important

Do you wish to speak about your submission at a Council hearing?

Yes ☐ No ☒ If you do not tick a box we will assume that you do not wish to speak at a hearing.

SECTION 2 Please print clearly

Do you generally support that the existing Hamilton City Cemeteries and Crematorium Bylaw 2008 be revoked and that it be replaced with the Hamilton City Cemeteries and Crematorium Bylaw 2012?
(Please circle) Yes / No

Where appropriate please write the section of the Bylaw at the start of each comment.

Section of Bylaw: Part 2 Section 22

Comment(s):

I support further burial options for the public
and more personal options for people dependent
on their beliefs and philosophies.

Section of Bylaw: _____

Comment(s): _____



For Office Use Only

Sub 020

Sub No. Entree

Hamilton City Cemeteries and Crematorium Bylaw 2008 Review

SECTION 1 Please print your details clearlyName: Mr/Mrs/Miss/Ms Simona Shanks Organisation: _____Address: 84 G Horsham Downs Rd
HamiltonPhone: (day) 07 838 9599 (evening) 855 9267Email: simona.shanks@yahoo.com*Please note that any submissions made will be available to the public, and the hearings on this will be open to the public.***Important**

Do you wish to speak about your submission at a Council hearing?

Yes ☐ No ☒ If you do not tick a box we will assume that you do not wish to speak at a hearing.**SECTION 2** Please print clearlyDo you generally support that the existing Hamilton City Cemeteries and Crematorium Bylaw 2008 be revoked and that it be replaced with the Hamilton City Cemeteries and Crematorium Bylaw 2012?
(Please circle) Yes / No

Where appropriate please write the section of the Bylaw at the start of each comment.

Section of Bylaw: Part 2 Section 22Comment(s): Further burial options for the public

Section of Bylaw: _____

Comment(s): _____

Hamilton City Cemeteries and Crematorium Bylaw 2008 Review

SECTION 1 Please print your details clearly

Name: Mr/Mrs/Miss/Ms Bonnie Sands-Dorab Organisation: _____

Address: 3 Rata St

Phone: (day) 8394909 (evening) 8461184

Email: gesswell145@xva.co.nz

Please note that any submissions made will be available to the public, and the hearings on this will be open to the public.

Important

Do you wish to speak about your submission at a Council hearing?

Yes ☐ No ☒ If you do not tick a box we will assume that you do not wish to speak at a hearing.

SECTION 2 Please print clearly

Do you generally support that the existing Hamilton City Cemeteries and Crematorium Bylaw 2008 be revoked and that it be replaced with the Hamilton City Cemeteries and Crematorium Bylaw 2012?
(Please circle) Yes / No

Where appropriate please write the section of the Bylaw at the start of each comment.

Section of Bylaw: Part 2 Section 22

Comment(s): There needs to be a natural area in the cemetery that eco burials can be done

Section of Bylaw: _____

Comment(s): _____



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Sub 022

Sub No. Entered

Hamilton City Cemeteries and Crematorium Bylaw 2008 Review

SECTION 1 Please print your details clearly

Name: Mr/Mrs/Miss/Ms Melanie Heald Organisation: _____Address: 43 Lee Martin RDs, HamiltonPhone: (day) 07 8296111 (evening) 07 8296111Email: Melanie.Heald@gmail.com

Please note that any submissions made will be available to the public, and the hearings on this will be open to the public.

Important

Do you wish to speak about your submission at a Council hearing?

Yes ☐No ☒

If you do not tick a box we will assume that you do not wish to speak at a hearing.

SECTION 2 Please print clearly

Do you generally support that the existing Hamilton City Cemeteries and Crematorium Bylaw 2008 be revoked and that it be replaced with the Hamilton City Cemeteries and Crematorium Bylaw 2012?

(Please circle) Yes / No

Where appropriate please write the section of the Bylaw at the start of each comment.

Section of Bylaw: Section 22, Part 2Comment(s): I support a Natural Burial Area in theCemetery.

Section of Bylaw: _____

Comment(s): _____

Hamilton City Cemeteries and Crematorium Bylaw 2008 Review

SECTION 1 Please print your details clearly

Name: Mr/Mrs/Miss/Ms Tessa Sargeant Organisation: ~~Hamilton City Council~~

Address: 9 Prospect Place

Phone: (day) 0345 52 94 (evening) _____

Email: Tessa.Sargeant@hotmail.com

Please note that any submissions made will be available to the public, and the hearings on this will be open to the public.

Important

Do you wish to speak about your submission at a Council hearing?

Yes ☐ No ☒ If you do not tick a box we will assume that you do not wish to speak at a hearing.

SECTION 2 Please print clearly

Do you generally support that the existing Hamilton City Cemeteries and Crematorium Bylaw 2008 be revoked and that it be replaced with the Hamilton City Cemeteries and Crematorium Bylaw 2012?

(Please circle) Yes / No

Where appropriate please write the section of the Bylaw at the start of each comment.

Section of Bylaw: Part 2 section 22

Comment(s): I would support a

- Neutral area in the cemetery
- further options for the public
- personilisation

Section of Bylaw: _____

Comment(s): _____



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Sub 024

Sub No. Entire

Hamilton City Cemeteries and Crematorium Bylaw 2008 Review

SECTION 1 Please print your details clearly

Name: Mr/Mrs/Miss/Ms Fay Bird Organisation: -Address: 34 Elby St NgawakaPhone: (day) 021 101 7079 (evening) -Email: -

Please note that any submissions made will be available to the public, and the hearings on this will be open to the public.

Important

Do you wish to speak about your submission at a Council hearing?

Yes ☐ No ☒ If you do not tick a box we will assume that you do not wish to speak at a hearing.

SECTION 2 Please print clearly

Do you generally support that the existing Hamilton City Cemeteries and Crematorium Bylaw 2008 be revoked and that it be replaced with the Hamilton City Cemeteries and Crematorium Bylaw 2012?
(Please circle) Yes / No

Where appropriate please write the section of the Bylaw at the start of each comment.

Section of Bylaw: Part 2 Section 22

Comment(s): I fully support a natural burial area in the cemetery,

Section of Bylaw: _____

Comment(s): _____

Hamilton City Cemeteries and Crematorium Bylaw 2008 Review

SECTION 1 Please print your details clearly

Name: Mr (Mrs) Miss/Ms ANTI CHAIMONTREE Organisation: _____

Address: 25 WAIHEROWHERO DRIVE, ST ANDREWS, HAMILTON 3200

Phone: (day) 07 8394909 (evening) 07 8494313

Email: _____

Please note that any submissions made will be available to the public, and the hearings on this will be open to the public.

Important

Do you wish to speak about your submission at a Council hearing?

Yes ☐ No ☒ If you do not tick a box we will assume that you do not wish to speak at a hearing.

SECTION 2 Please print clearly

Do you generally support that the existing Hamilton City Cemeteries and Crematorium Bylaw 2008 be revoked and that it be replaced with the Hamilton City Cemeteries and Crematorium Bylaw 2012?
(Please circle) Yes / No

Where appropriate please write the section of the Bylaw at the start of each comment.

Section of Bylaw: Part 2 Section 22

Comment(s): _____

To provide further options for the public

Section of Bylaw: _____

Comment(s): _____

Hamilton City Cemeteries and Crematorium Bylaw 2008 Review

SECTION 1 Please print your details clearly

 Name: Mr/Mrs/Miss/Ms Debra Fleming Organisation: _____

 Address: 49 Gilbass Ave
Hamilton

 Phone: (day) 021 317703 (evening) _____

 Email: debbies_7@hotmail.com

Please note that any submissions made will be available to the public, and the hearings on this will be open to the public.

Important

Do you wish to speak about your submission at a Council hearing?

 Yes ☐ No ☒ If you do not tick a box we will assume that you do not wish to speak at a hearing.

SECTION 2 Please print clearly

Do you generally support that the existing Hamilton City Cemeteries and Crematorium Bylaw 2008 be revoked and that it be replaced with the Hamilton City Cemeteries and Crematorium Bylaw 2012?
 (Please circle) Yes ☒ No ☐

Where appropriate please write the section of the Bylaw at the start of each comment.

 Section of Bylaw: Part 2 Section 22

 Comment(s): Further options for people who wish to
have their belief satisfied.

Section of Bylaw: _____

Comment(s): _____

Hamilton City Cemeteries and Crematorium Bylaw 2008 Review

SECTION 1 Please print your details clearly

Name: Mr/Mrs/Miss/Ms Bill Eastgate Organisation: _____

Address: 49 Gilbass Ave
Hamilton

Phone: (day) _____ (evening) 8349977

Email: _____

Please note that any submissions made will be available to the public, and the hearings on this will be open to the public.

Important

Do you wish to speak about your submission at a Council hearing?

Yes ☐ No ☒ If you do not tick a box we will assume that you do not wish to speak at a hearing.

SECTION 2 Please print clearly

Do you generally support that the existing Hamilton City Cemeteries and Crematorium Bylaw 2008 be revoked and that it be replaced with the Hamilton City Cemeteries and Crematorium Bylaw 2012?

(Please circle) Yes / No

Where appropriate please write the section of the Bylaw at the start of each comment.

Section of Bylaw: Part 2 Section 22

Comment(s): I wish to have a more natural option - it
should be my choice - we need options.

Section of Bylaw: _____

Comment(s): _____



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Sub 028

Sub No. Extra

Hamilton City Cemeteries and Crematorium Bylaw 2008 Review

SECTION 1 Please print your details clearlyName: Mr/Mrs/Miss/Ms Anna Spiers Organisation: -Address: 1 Roach StreetHamilton 3200Phone: (day) 8394909 (evening) 8460366Email: c.groucott@xtra.co.nz

Please note that any submissions made will be available to the public, and the hearings on this will be open to the public.

Important

Do you wish to speak about your submission at a Council hearing?

Yes ☐No ☒

If you do not tick a box we will assume that you do not wish to speak at a hearing.

SECTION 2 Please print clearly

Do you generally support that the existing Hamilton City Cemeteries and Crematorium Bylaw 2008 be revoked and that it be replaced with the Hamilton City Cemeteries and Crematorium Bylaw 2012?

(Please circle) Yes / No

Where appropriate please write the section of the Bylaw at the start of each comment.

Section of Bylaw: Part 2. Section 22.Comment(s): I support a natural area in thecemetery for burial. This wouldbe my personal preference.

Section of Bylaw: _____

Comment(s): _____

Hamilton City Cemeteries and Crematorium Bylaw 2008 Review

SECTION 1 Please print your details clearly

Name: Mr/Mrs/Miss/Ms Bryony Chalkley Organisation: _____

Address: 169 Hukarui Road

Phone: (day) 8552481 (evening) _____

Email: brychatts@gmail.com

Please note that any submissions made will be available to the public, and the hearings on this will be open to the public.

Important

Do you wish to speak about your submission at a Council hearing?

Yes ☐ No ☒ If you do not tick a box we will assume that you do not wish to speak at a hearing.

SECTION 2 Please print clearly

Do you generally support that the existing Hamilton City Cemeteries and Crematorium Bylaw 2008 be revoked and that it be replaced with the Hamilton City Cemeteries and Crematorium Bylaw 2012?
(Please circle) Yes / No

Where appropriate please write the section of the Bylaw at the start of each comment.

Section of Bylaw: Part two Section twenty two

Comment(s): Personal preference

Section of Bylaw: _____

Comment(s): _____

Hamilton City Cemeteries and Crematorium Bylaw 2008 Review

SECTION 1 Please print your details clearly
Name: Mr/Mrs/Miss/Ms Claire Morgan Organisation: _____Address: 7 Enderley Ave
HamiltonPhone: (day) 8389590 (evening) _____

Email: _____

Please note that any submissions made will be available to the public, and the hearings on this will be open to the public.

Important

Do you wish to speak about your submission at a Council hearing?

Yes ☐No ☒

If you do not tick a box we will assume that you do not wish to speak at a hearing.

SECTION 2 Please print clearly

Do you generally support that the existing Hamilton City Cemeteries and Crematorium Bylaw 2008 be revoked and that it be replaced with the Hamilton City Cemeteries and Crematorium Bylaw 2012?
 (Please circle) Yes / No

Where appropriate please write the section of the Bylaw at the start of each comment.

Section of Bylaw: Part 2 Section 22

Comment(s): _____

Yes support for notwed burials.

Section of Bylaw: _____

Comment(s): _____

Hamilton City Cemeteries and Crematorium Bylaw 2008 Review

SECTION 1 Please print your details clearly

Name: Mr/Mrs/Miss/Ms Judith Edwards Organisation: _____

Address: 1197 Limborks Loop Rd. RD5 Hamilton

Phone: (day) 8568274 (evening) _____

Email: books4kids@paradise.net.nz

Please note that any submissions made will be available to the public, and the hearings on this will be open to the public.

Important

Do you wish to speak about your submission at a Council hearing?

Yes ☐ No ☒ If you do not tick a box we will assume that you do not wish to speak at a hearing.

SECTION 2 Please print clearly

Do you generally support that the existing Hamilton City Cemeteries and Crematorium Bylaw 2008 be revoked and that it be replaced with the Hamilton City Cemeteries and Crematorium Bylaw 2012?

(Please circle) Yes / No

Where appropriate please write the section of the Bylaw at the start of each comment.

Section of Bylaw: Part 2 SECTION 22 'NAVAH BURNS'

Comment(s): Good to be naturally friendly

Section of Bylaw: _____

Comment(s): _____

Hamilton City Cemeteries and Crematorium Bylaw 2008 Review

SECTION 1 Please print your details clearly

 Name: Mr/Mrs/Miss/Ms Kate Featherstone Organisation: _____

 Address: 27 Gilkiss Avenue
Hamilton

 Phone: (day) 848 1692 (evening) 834 0908

 Email: Kate@mortech.co.nz

Please note that any submissions made will be available to the public, and the hearings on this will be open to the public.

Important

Do you wish to speak about your submission at a Council hearing?

 Yes ☐

 No ☒

If you do not tick a box we will assume that you do not wish to speak at a hearing.

SECTION 2 Please print clearly

Do you generally support that the existing Hamilton City Cemeteries and Crematorium Bylaw 2008 be revoked and that it be replaced with the Hamilton City Cemeteries and Crematorium Bylaw 2012?

 (Please circle) Yes / No

Where appropriate please write the section of the Bylaw at the start of each comment.

 Section of Bylaw: Part II Section 22 Natural Burials

Comment(s): We need this option for our community. We need to offer all environmentally friendly options available, to lessen the impact of non-made products on the ecosystem. Consultation required re what constitutes a "natural burial".

Section of Bylaw: _____

Comment(s): _____

Hamilton City Cemeteries and Crematorium Bylaw 2008 Review

SECTION 1 Please print your details clearly

Name: Mr/Mrs/Miss/Ms J FLETCHER Organisation: MORTECH
Address: 93 DUNCAN RD RD2 OHAWA

Phone: (day) 07 825 2121 (evening) _____

Email: _____

Please note that any submissions made will be available to the public, and the hearings on this will be open to the public.

Important

Do you wish to speak about your submission at a Council hearing?

Yes ☐ No ☒ If you do not tick a box we will assume that you do not wish to speak at a hearing.

SECTION 2 Please print clearly

Do you generally support that the existing Hamilton City Cemeteries and Crematorium Bylaw 2008 be revoked and that it be replaced with the Hamilton City Cemeteries and Crematorium Bylaw 2012?
(Please circle) Yes / No

Where appropriate please write the section of the Bylaw at the start of each comment.

Section of Bylaw: part 2 section 22 natural burials

Comment(s):
I support this concept
people are more aware of the environment
and good to have options

Section of Bylaw: _____

Comment(s): _____



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Sub 034

Sub No. Entered

Hamilton City Cemeteries and Crematorium Bylaw 2008 Review

SECTION 1 Please print your details clearlyName: Mr/Mrs/Miss/Ms CHRIS CATCHPOLE Organisation: _____Address: 42 McCracken Ave
HamiltonPhone: (day) 8466042 (evening) 027 2550963Email: Chris@hcccitysigns.co.nz

Please note that any submissions made will be available to the public, and the hearings on this will be open to the public.

Important

Do you wish to speak about your submission at a Council hearing?

Yes ☐No ☒

If you do not tick a box we will assume that you do not wish to speak at a hearing.

SECTION 2 Please print clearlyDo you generally support that the existing Hamilton City Cemeteries and Crematorium Bylaw 2008 be revoked and that it be replaced with the Hamilton City Cemeteries and Crematorium Bylaw 2012?
(Please circle) Yes No

Where appropriate please write the section of the Bylaw at the start of each comment.

Section of Bylaw: Part 2 Section 22 Natural BurialsComment(s): Good to have a living memorial, great to provide people with more options.

Section of Bylaw: _____

Comment(s): _____

Hamilton City Cemeteries and Crematorium Bylaw 2008 Review

SECTION 1 Please print your details clearly

Name: Mr/Mrs/Miss/Ms Dale Lettbridge Organisation: _____

Address: 916 McTearlane St.

Phone: (day) 07 8569 303 (evening) _____

Email: dale.lettbridge@kva.co.nz

Please note that any submissions made will be available to the public, and the hearings on this will be open to the public.

Important

Do you wish to speak about your submission at a Council hearing?

Yes ☐ No ☒ If you do not tick a box we will assume that you do not wish to speak at a hearing.

SECTION 2 Please print clearly

Do you generally support that the existing Hamilton City Cemeteries and Crematorium Bylaw 2008 be revoked and that it be replaced with the Hamilton City Cemeteries and Crematorium Bylaw 2012?

(Please circle) Yes / No

Where appropriate please write the section of the Bylaw at the start of each comment.

Section of Bylaw: Part 2 Section 22 natural

Comment(s): burial areas.

Section of Bylaw: _____

Comment(s): _____



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Sub 036

Sub No. Entered

Hamilton City Cemeteries and Crematorium Bylaw 2008 Review

SECTION 1 Please print your details clearlyName: Mr/Mrs/Miss/Ms SCOTT TOWNSEND Organisation: CLIMATECAddress: 174 COLLINGWOOD STREET
HAMILTONPhone: (day) 027 322 7373 (evening) 027 322 7373Email: SCOTT@CLIMATEC.CO.NZ

Please note that any submissions made will be available to the public, and the hearings on this will be open to the public.

Important

Do you wish to speak about your submission at a Council hearing?

Yes ☐ No ☒ If you do not tick a box we will assume that you do not wish to speak at a hearing.**SECTION 2** Please print clearlyDo you generally support that the existing Hamilton City Cemeteries and Crematorium Bylaw 2008 be revoked and that it be replaced with the Hamilton City Cemeteries and Crematorium Bylaw 2012?
(Please circle) Yes / No

Where appropriate please write the section of the Bylaw at the start of each comment.

Section of Bylaw: PART 2 SECTION 22: A NATURAL BURIAL AREAComment(s): I SUPPORT A NATURAL BURIAL AREA (eg A FOREST)
A CIVIL TRIBUTE THATS ENVIRONMENTALLY FRIENDLY, WHICH
IS ALSO LESS MAINTINANCE.

Section of Bylaw: _____

Comment(s): _____

Hamilton City Cemeteries and Crematorium Bylaw 2008 Review

SECTION 1 Please print your details clearly

Name: Mr/Mrs/Miss/Ms PHILIP WOOLSTON Organisation: Philip Woolston Ltd.
Address: 647 GREY ST, HAMILTON 3216.

Phone: (day) 855 1878 (evening) 027 855 1878
Email: 853 6090.

Please note that any submissions made will be available to the public, and the hearings on this will be open to the public.

Important

Do you wish to speak about your submission at a Council hearing?

Yes ☐ No ☐ If you do not tick a box we will assume that you do not wish to speak at a hearing.

SECTION 2 Please print clearly

Do you generally support that the existing Hamilton City Cemeteries and Crematorium Bylaw 2008 be revoked and that it be replaced with the Hamilton City Cemeteries and Crematorium Bylaw 2012?
(Please circle) Yes / No

Where appropriate please write the section of the Bylaw at the start of each comment.

Section of Bylaw: PART II SECTION 22.

Comment(s): ENVIRONMENTALLY RESPECTFUL FUNERAL OPTIONS ARE MORE THAN A 'TREND' AND HERE TO STAY. I JUST HOPE THAT IT IS WELL PLANNED AND POSITIONED SO THAT IT MAY BE SEEN AS A BEAUTIFUL AREA OF NATIVE BUSH THAT CONTINUES TO ENHANCE THE APPEARANCE OF THE ALREADY WELL PRESENTED CEMETERY. I AM SLIGHTLY CONCERNED THAT ASPECTS SUCH AS NOT ALLOWING SYNTHETIC BUTTONS ON CLOTHING ETC MAY PUT PEOPLE OFF.

Section of Bylaw: ALSO PLEASE REMEMBER THAT COMPLETE NON-TOXIC

Comment(s): EMBALMING USING CERTIFIED ORGANIC COMPOUNDS IS PERMITTED AND OFTEN NECESSARY WHEN DELAYS OCCUR BETWEEN DEATH & BURIAL.

Hamilton City Cemeteries and Crematorium Bylaw 2008 Review

SECTION 1 Please print your details clearly

 Name: Mr/Mrs/Miss/Ms Geoff Lewis Organisation: One 2 One Business

 Address: 121 Bunting Road, Clarendon
Hamilton

 Phone: (day) 07 8336121 (evening) _____

 Email: geoff.lewis@enteral.co.nz

Please note that any submissions made will be available to the public, and the hearings on this will be open to the public.

Important

Do you wish to speak about your submission at a Council hearing?

 Yes ☐ No ☒ If you do not tick a box we will assume that you do not wish to speak at a hearing.

SECTION 2 Please print clearly

Do you generally support that the existing Hamilton City Cemeteries and Crematorium Bylaw 2008 be revoked and that it be replaced with the Hamilton City Cemeteries and Crematorium Bylaw 2012?
 (Please circle) Yes / No

Where appropriate please write the section of the Bylaw at the start of each comment.

 Section of Bylaw: Part 2, Section 22, Natural burials

 Comment(s): I support the concept of a burial as an
area in the cemetery, as a living tribute.

Section of Bylaw: _____

Comment(s): _____

Hamilton City Cemeteries and Crematorium Bylaw 2008 Review

SECTION 1 Please print your details clearly

Name: Mr/Mrs/Miss/Ms Adrian Featherstone Organisation: _____

Address: 27 Gilbass Ave Hamilton

Phone: (day) 07 8481692 (evening) 07 8340908

Email: adrian@martech.co.nz

Please note that any submissions made will be available to the public, and the hearings on this will be open to the public.

Important

Do you wish to speak about your submission at a Council hearing?

Yes ☐ No ☒ If you do not tick a box we will assume that you do not wish to speak at a hearing.

SECTION 2 Please print clearly

Do you generally support that the existing Hamilton City Cemeteries and Crematorium Bylaw 2008 be revoked and that it be replaced with the Hamilton City Cemeteries and Crematorium Bylaw 2012?
(Please circle) Yes / No

Where appropriate please write the section of the Bylaw at the start of each comment.

Section of Bylaw: Part 2 Section 22

Comment(s): I fully support the proposed changes due to the movement towards a more respectful conservation to land the environment.

Section of Bylaw: _____

Comment(s): _____

Submission to:

Hamilton City Council
C/- Strategy & Research Unit
Ihsana.Ageel@hcc.govt.nz

From:

The Social & Ecumenical Action Group, Parish Council
St Andrew's Presbyterian Church, Hamilton
c/- Lance Kendrick, Convenor
39 Orchard Avenue
Hamilton 3214
lance_kendrick@hotmail.com
Phone 027 – 265 7521 or 855 8428

27 April 2012

Re: Draft proposed Hamilton City Cemeteries and Crematorium Bylaw 2012

We do not wish to speak at the Hearing on this Bylaw.

1. We thank you for this opportunity to give you feedback from a mainstream Presbyterian viewpoint. We appreciate the low-key tastefulness of the park-like community asset which Newstead is – a product of its Bylaw and implementation so far. **We generally favour updating the Cemeteries and Crematorium Bylaw by revocation of the 2008 Bylaw and replacement with the draft 2012 Bylaw, especially to include provision for natural burials, but there are also portions of the draft 2012 text which we think need clarification.**

“Denominational areas”: (Primarily Part II: Cemeteries, section 24, on page 11):

2. So far the boundaries of the 2008 Bylaw's provisions have not been pushed to the limit: our understanding is that in practice in the past 3 or 4 years for people of the Muslim and Jewish faiths some “areas” have been “set aside” by pre-purchase of contiguous plots in certain rows of the Oak Lawn, and that no “central monuments” have been erected. We are totally fine with this: the practice has been sensitive to particular religions, without dominating Newstead's park-like ambience.

Setting land apart, and central monuments

3. Some of the 2012 draft provisions are similar to those of 2008 and we worry that in its attempt to be inclusive of various religions/denominations the text of this draft Bylaw *could* in future be used to foster *exclusiveness* -- such as with erection of central monuments, and the Council's setting-apart of land areas presumably for no fee but at considerable cost to ratepayers. Leaving these two provisions in

the 2012 draft would be a backward step. We think you have been lucky that those two provisions have not yet been demanded.

4. We therefore recommend removing provision for “setting apart” land as mentioned in the definition for “denominational areas”. In relation to separate designated areas we can see practical difficulties with the physical logistics. Any separate denominational area would eventually fill up and a second area would be required, unless each denominational area were created on a very large area of land – in which case the City will have inflated development costs at an early stage.
5. We also recommend removing provision for erection of central monuments, as provided for in section 24.2 which permits a denomination to place “a central monument and/or sign within the designated area subject to the plans being approved by Council”. Our comment applies to both any overall land-area established by Council and to the much more acceptable pre-purchased contiguous plots in rows. This provision in 24.2 is extremely loose when compared to the strict regulations for dimensions and other features of headstones and other memorialisations. In practice the Manager at Newstead will be put in the invidious position of deciding what sort of denominational signs and monuments might be appropriate for the overall amenity-value of the cemetery, or even what is in good taste. Instead, individual headstones (or plaques for ashes) could instead carry recognisable faith or cultural or ethnic symbols, as the Mormons have done with the engravings of the Temple on their headstones.

Definition of, and admission to, “denominational areas”

6. Whatever you end up doing in relation to specially-designated land areas, you could have serious problems through not defining (in section 5.1) “religious denomination”, a term you use frequently. You have assumed it means Jewish and Muslim religions, as evidenced in your chart in section 18.1 when describing plot dimensions. In the Burial and Cremations Act 1964 “... ‘religious denomination’ means the adherents of any religion and includes any Church sect or other sub-division of such adherents” -- a rather quaint definition but it does, however, wave a flag as to the religious minefield into which Hamilton City Council may in future be pushed.
7. We are only too aware that Christians have in the past been as ready as believers of any other faith to split into factions or, put kindly, branches (“denominations”). Fortunately the ecumenical movement is helping to break down barriers between many Christian groups but it has been, and will be, a slow process and we can imagine that, under this draft Bylaw there could be requests for Hamilton City Council to provide areas for “sects or other sub-divisions” pertaining to Christianity. Similar complications apply for other major (and not so major) world religions or even cults.

8. Despite any memorandum of understanding there could be disputes as to who is entitled to be interred in any given “denominational area” e.g. spouses and partners, but also variant believers. The City Council could be required to mediate on these, and at great haste. The Council may also need to rule on what is a *valid* “denomination” if there are requests for a future land area to be designated. At the very least you may need to use the terminology “faiths” rather than “religious denomination” and an Appendix to this draft Bylaw could contain a sample Memorandum of Understanding.
9. And, although the draft Bylaw refers to “religious denominations”, if separate areas are permitted then cultural or ethnic groupings would also have to be permitted their own territory, surely, upon request? There is a huge overlap between culture and religion; they are identical but are too close for Central and Local Government to try to distinguish, we’d have thought.

Burials and cremations

10. Draft Part II: Cemeteries, assumes that denominational areas will only be requested in relation to *burials*; perhaps because the Council has contemplated requests only in relation to the Jewish and Muslim faiths. Religions other than these two may, amongst other things, want central memorials in relation to ashes. Any clauses about “denominational areas” therefore might be better gathered into a separate (additional) PART in the Bylaw text.

Clarity of phrasing

11. We have a question about the description “...burial of the deceased belonging to one or more religious denomination” in the last part of the entry on “denominational areas” in draft section 5.1, Definitions, page 3: We *think* the whole definition means to say that “‘denominational areas’ means any land within a cemetery set apart – under this Bylaw or on the grant of an application made under this Bylaw – for one or more religious denominations to bury their dead in separate areas”, but that is not what it says.

We have a few other comments or suggestions:

12. Generally we generally favour the improvements in terminology and clarifications in this rewritten Bylaw.
13. Section 11.1 ends in mid-sentence.
14. Section 13.1. f) completes a double-negative; you must actually want the notion of no dogs except *with* the consent of the Manager.

15. Section 15.1. d) lists what may not be removed from any grave: notwithstanding section 19 about disinterment/exhumation, should 15.1. d) also include the word “body”?
16. For the benefit of lay-people, maybe Part II: CEMETERIES could be retitled Part II: BURIAL. (Compare: Part III: CREMATION.)
17. We do wonder if 20.3. c) needs to be expanded to avoid some of the current proliferation of “novelty items” in addition to floral tributes, though we would not want it to be too draconian.
18. The last sentence of clause 21.1. h) is lacking the instruction “shall” or similar. [“The lettering, in the case of natural stone, shall be embossed or incised...”]
19. There is a misprint in section 29.1.: it should read “...subject to the penalty provisions *outlined* in the ...”.

Finding graves or ashes

20. We suggest installation of **electronic finding kiosks** dotted strategically around the grounds, and so it would be helpful if these were to be authorised in this Bylaw. The Cemetery website locator is useful but broad-brush in its mapping. Kiosks could also highlight where rows of “denominational” plots are located.
21. For locating burial plots in the Natural Burial Areas, we hope the “cemetery tracking system” referred to in 22.2. b) will include GPS.

Again, thank you for this opportunity to give you our comments.

Yours sincerely

Lance Kendrick
Convenor

Committee: Strategy & Policy Committee **Date:** 28 June 2012

Report Name: Proposed Hamilton City Cemeteries and Crematorium Bylaw 2012 - Adoption Report. **Author:** Tegan McIntyre

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>This item effects the operation of the Cemetery and Crematorium</i>
Financial status	<i>There is budget allocated through SAP #810 (Bylaw review) in 2011/2012. Amount \$20,000 to cover all bylaw reviews.</i>
Assessment of significance	<i>Having regard to the decision making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance</i>

1. Purpose of the Report

- This report summarises the changes made to the proposed Hamilton City Cemeteries and Crematorium Bylaw 2012 as a result of public consultation, for Council's consideration prior to adopting the Bylaw.

3. Executive Summary

- Council adopted a statement of proposal (including the Proposed Hamilton City Cemeteries and Crematorium Bylaw 2012) for public consultation on 15 March 2012.
- Public consultation opened on 27 March 2012 and closed on 27 April 2012.
- In total 40 submissions were received 2 submitters wishing to be heard in support of their submission.
- Key issues raised relate to;
 - Support for inclusion of Natural Burials into the bylaw
 - Minor corrections within the bylaw
 - Clarification of definitions
 - Authority under legislature to stipulate conditions for embalming and clothing conditions within the bylaw
 - Clarification of denominational areas
- The hearings took place earlier today 28 June 2012 with 2 people wanting to be heard.
- Staff recommended minor change to the bylaw. These are shown using track changes in Attachment 1.

10. Recommendation/s from Management

- That the report be received
- That the Hamilton City Cemeteries and Crematorium Bylaw 2012 be adopted and come into

- force on 1st August 2012.
13. That the Hamilton Cemeteries and Crematorium Bylaw 2008 be revoked.

14. Attachments

15. Attachment 1 - Proposed Hamilton City Cemeteries and Crematorium Bylaw

16. Financial and Resourcing Implications

17. The review of the bylaw is being completed in-house with existing resources and requires no funding.

18. Risk

19. The bylaw review process had identified the need for authorised officers to have proper training and understanding of the bylaw. Appropriate authorised officers will be trained and updated warranted cards will be provided in order to enforce the new bylaw.

Signatory

Authoriser	Lance Vervoort, General Manager Community
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Approved By:

Date Confirmed:

Date In Force:

Review Date:

HAMILTON CITY CEMETERIES AND CREMATORIUM BYLAW 2012

This bylaw is made by the Hamilton City Council under the powers given to it by the Local Government Act 2002, the Burial and Cremation Act 1964, the amendments to those Acts, and any other relevant statutes.

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1. SHORT TITLE

- 1.1. This bylaw may be cited as the Hamilton City Cemeteries and Crematorium Bylaw 2012 and applies to every cemetery and crematorium now or in the future under the control of the Hamilton City Council.

2. REVOCATION OF EXISTING BYLAWS

- 2.1. The Hamilton Cemeteries and Crematorium Bylaw 2008 is hereby revoked.
- 2.2. All matters and proceedings commenced under the bylaw listed in section 2.1 and pending or in progress on the coming into operation of this bylaw may be continued, completed and enforced under this bylaw.
- 2.3. All bylaws previously made by Council relating to cemeteries or crematoria, or any matter dealt with in this bylaw or inconsistent with this bylaw are hereby revoked.

3. PURPOSE

- 3.1. The purposes of this bylaw are to enable Council to set fees, control and set standards for the operation of cemeteries and crematoria within the boundaries covered by Council's responsibility or ownership.

4. COMPLIANCE WITH OTHER ACTS

- 4.1. Nothing in this bylaw shall detract from any provision of, or the necessity for, compliance with the:
- a) Burial and Cremation Act 1964;
 - b) Burial and Cremation (Removal of Monuments and Tablets) Regulations 1967;
 - c) Cremation Regulations 1973;
 - d) Health Act 1956;
 - e) The Local Government Act 2002; and
 - f) Any Subsequent amendments of the above Acts and Regulations.

5. DEFINITIONS

- 5.1. In this bylaw except where inconsistent with the context:

Adult	Means any person of fifteen years of age or over.
Ashes	Means the cremated remains of an individual person.
Authorised person	Means an employee or contractor of the Hamilton City Council appointed or authorised to carry out general or specific duties arising from any of the provisions of this bylaw, and includes a Police Officer, Parking Warden and any enforcement officers appointed and warranted by Council under the Local Government Act 2002.
Authority to open	Means a form or letter signed by the person owning the burial rights to a plot, or a funeral director acting as their agent, authorising the Manager to prepare the plot for burial of the deceased identified on the form.
Beam cemetery	Means, a cemetery or an area of a cemetery in which memorials of prescribed maximum dimensions are allowed to be placed on a concrete beam flush with

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	the ground supplied by the Council.
Berm cemetery	Means a cemetery or an area of a cemetery in which plaques of prescribed dimensions are allowed to be placed on a concrete kerb edging a garden.
Burial warrant	Means a certificate issued by the Council or authorised person, authorising the Manager to bury the person specified in that certificate.
Child	Means any person under the age of fifteen years, but not a stillborn child.
Close relative	Means grandparent, parent, sibling, child, spouse, civil union partner, de facto partner.
Cemetery	Means any cemetery including closed cemeteries vested in or under the control of the Council now or in the future.
Council	Means Hamilton City Council.
Cremation	Means the reduction to ashes of dead bodies by burning.
Crematorium	Means a building and plant established by the Council for the cremation of the dead and any buildings used in connection therewith.
Denominational areas	Means any land within a cemetery set apart under this Bylaw or on the grant of an application made under this Bylaw, for the burial of the deceased belonging to one or more religious denomination
Low rise memorial	Means all headstones that are of the tilted raised plaque design made of a permanent material, fitted on an appropriate base including recess for flower vases, and in accordance with approved dimensions.
Manager	Means the person appointed by the Council to have charge of any cemetery and/or crematorium under the control of Council now or in the future and includes any person directed by the Council to perform the duties of a cemetery and/or crematorium manager for the time being.
Memorial	Means a plaque, or upright memorial/headstone on any grave as permitted by the bylaw.
Monument	Has the same definition as "Memorial".
Natural burial area	Means an area set aside for the burial of bodies or ashes where the body is not embalmed and is contained in a casket or shroud made of biodegradable materials and the grave is not marked with any permanent memorial. The area will be restored with native vegetation.
Plot	Means a grave site as shown on a cemetery plan held available for public inspection at a cemetery and / or offices of the Council.
Services Cemetery	Means an area of a cemetery set aside for the burial of bodies or ashes of eligible servicemen or women as defined by the Veterans Affairs New Zealand.
Stillborn child	Means a child that is born without any signs of life after the 20 th week of pregnancy and or weighs 400 grams or more.
<u>Religious denomination</u>	<u>Means the adherents of any religion and includes any church, sect, or other subdivision of such adherents.</u>

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6. LEGAL DESCRIPTIONS

6.1. Hamilton West Cemetery

Hamilton West Cemetery is the cemetery established by the Council on Allotments 213 and 214 of the Town Belt of Hamilton West, SO 23142, being approximately 0.8092 hectares.

6.2. Hamilton East Cemetery

Hamilton East Cemetery is the cemetery established by the Council on Allotment 252 of the Parish of Kirikiriroa SO 33208, SO 1433, and LT 1126A, being approximately 3.2366 hectares.

6.3. Hamilton Park Cemetery

Hamilton Park Cemetery is the cemetery established by the Council at Newstead on Allotment 282 of the Parish of Kirikiriroa described in Certificate of Title 556/230 limited as to parcels, being approximately 32.3748 hectares.

PART I: GENERAL

7. HOURS OF SERVICES AND BURIALS

- 7.1. Except to comply with the duties of Council under Section 86 of the Health Act 1956 relating to the burial of people who have died of an infectious and/or notifiable disease, burial or cremation services shall take place between the hours of 8.00 am and 4.00 pm on ordinary week days and Saturdays. Burials and cremation services may take place at other times by approval from the Manager and on payment of the prescribed additional fee.

8. NOTICE OF SERVICE

- 8.1. The Manager shall be given not less than eight working hours notice of any burial, cremation or service. If such notice is not given the burial, cremation or service may be delayed for up to eight working hours to enable the Manager to complete the necessary arrangements. Any extra expenses incurred shall be payable by the funeral director or the person or persons arranging the funeral.

9. FEES

- 9.1. The Council may by resolution, publicly notified, set fees for all services provided for the operation and maintenance of cemeteries and crematoria. Unless specifically stated to the contrary, burials, cremations, and related services will only be carried out on payment of the prescribed fee or fees.

10. MAINTENANCE OF MEMORIALS

- 10.1. All memorials, including those with laminated photographs, shall be kept in proper order and repair by the owner of the plot or their representatives. Should a memorial fall into a state of decay or disrepair, it may at any time be dealt with by the Council pursuant to the Burial and Cremation (Removal of Monuments and Tablets) Regulations 1967.

11. PHYSICAL WORKS ASSOCIATED WITH PLOTS OR OTHER WORKS IN ANY CEMETERY

- 11.1. Maintenance or other work, including digging and/or filling any grave in a cemetery, may only be carried out by an employee of the Council, or a person authorised by the Council, and no person other than the Manager shall, without the written authority of the Council.
- 11.2. Any authorised person undertaking physical works within any cemetery must;
- obtain prior approval from the Council for the physical works,
 - pay all applicable fees,

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- c) adequately protect the surrounding plots, memorial and cemetery infrastructure,
- d) Not use any footpaths or other part of the Cemetery for placing or depositing any tools, planks or materials for a longer time than is reasonably necessary to complete that work.

12. VEHICLES

- 12.1. Any person driving within a cemetery must comply with any regulatory signs controlling traffic.
- 12.2. Vehicles must give way to any Funeral Procession.
- 12.3. No vehicle is permitted to remain within the cemetery when closed.
- 12.4. Vehicles may only be driven on roads open for vehicular traffic and should be parked in a designated parking area.

13. ANIMALS AND DOGS

- 13.1. No person shall take into or allow remaining in any cemetery any dog or other animal, except [the following without the consent of the Cemetery Manager:](#)
 - a) a guide or hearing ear dog;
 - b) a dog kept by the Police or any constable,
 - c) the Customs Department,
 - d) the Ministry of Defence,
 - e) any officer or employee of any such Department of State or,
 - ~~f) without the consent of the Cemetery Manager.~~

14. SOLICITING TRADE

- 14.1. With the exception of the transactions of the Manager and his or her staff undertaken in the course of running the cemetery and crematorium, no person may solicit trade or accept orders for goods or services within a cemetery.

15. CONDUCT

- 15.1. In accordance with the bylaw no person shall;
 - a) Enter or remain in the cemetery between the hours of sunset and sunrise without permission.
 - b) Conduct themselves in a manner that is unlawful, violent, or improper.
 - c) Unlawfully or improperly interfere with or interrupt the carrying out of any burial, cremation, funeral service or ceremony in the crematorium or chapel or within any cemetery.
 - d) Remove or take from any grave in any cemetery, any vase, wreath, plant, flower, shrub or other object, except for the purpose of tidying the grave and surrounding area.
 - e) Disturb, damage, take or pick any cutting or flower from any tree, shrub, plant or other growth in the cemetery.
 - f) Light or allow any fires to be lit in the cemetery.
 - g) Dump household waste in cemetery bins.

PART II: CEMETERIES

16. EXCLUSIVE RIGHTS OF BURIAL

- 16.1. The Council will not sell the exclusive right of burial in the Hamilton West Cemetery and no further burials or ash interments will be permitted.
- 16.2. The Council will not sell the exclusive right of burial in the Hamilton East Cemetery and only burials in valid reserved plots and ash interments will be permitted.

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- 16.3. The Council will keep plans of the cemeteries it controls, records of all exclusive rights of burial granted and all burials and cremations in the cemeteries. Plans and records will be open for inspection by the public at the office of the Council during normal office hours.

16.4. Sale

- a) The Council may sell the exclusive right of burial in a plot. The selling of that right will give the purchaser, or a transferee approved by the Council, the exclusive right of burial in that plot subject to the provisions of this bylaw. On payment of the prescribed fee the Council will issue a receipt and/or certificate similar to the form set out in the First Schedule to this bylaw, which will constitute proof of ownership of the exclusive right of burial in the plot indicated. If the original of the receipt and/or certificate is lost or destroyed a duplicate will be issued on request, and upon payment of the prescribed fee.
- b) In the case of Natural Burials, there is no provision to reserve plots. The next available plot will be assigned to each new burial in a numbered sequence.

16.5. Transfer or Repurchase

- a) The purchaser of an exclusive right of burial in any plot may transfer that right to a close relative subject to the approval of the Council and on payment of the prescribed transfer fee. The Council may at its discretion purchase back any unused plot on such terms and conditions as it thinks fit.

16.6. Lapse of Right of Burial

- a) If no burial has taken place after 60 years from the original date of sale of the exclusive right of burial in a plot the right lapses and the Council shall not be liable for any refund of any fees paid.

17. BURIAL WARRANT AND AUTHORITY TO OPEN

- 17.1. No burial shall take place in any cemetery without the production of a Council Burial Warrant in the form set out in the Second Schedule authorising that burial.
- 17.2. No burial in a reserved plot, or second interment, shall take place unless the Manager has previously received an "Authority to Open" in the form of the Second Schedule, signed by the owner of the burial right, or a funeral director, or solicitor acting as an agent on their behalf.
- 17.3. The Burial Warrant and, where applicable, the Authority to Open, issued for any burial shall be delivered to the Manager at least eight working hours before the burial.

18. GRAVE PLOTS AND GRAVES

18.1. Plot Dimensions

Hamilton Park Cemetery	
Adult	2700mm (length) x 1200mm(width)x not less than 1800mm(depth)
Child	1800mm (length) x 900 mm (width) x not less than 1500mm(depth)
Stillborn Children	1000mm (length) x 500mm (width)
Oversize casket	3000mm(length) x 1500mm (width)
Natural Burial	2700mm (length) x 1200mm (width) and graves shall be 1000mm below the surface to the top of the casket or shroud.

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Denominational	Jewish and Muslim graves may be single depth of no less than 1500mm deep.
Minimum Cover	Minimum depth of cover for the uppermost casket in any grave shall not be less than 1000mm except in stillborn cemeteries cover shall be 500mm. In extra depth graves the minimum depth between caskets shall be 100mm

18.2. Caskets

- a) A casket for an adult burial plot should not usually exceed 2130mm (length) x 610mm (depth) x 760mm (width). If a larger casket is required the Manager must be advised at least eight hours in advance so that arrangements can be made for burial in the area designated for oversize caskets.
- b) If a child's casket is too large for a plot in the children's section, it shall be buried in an adult area at the fees applicable for a child's plot and burial.

19. DISINTERMENT/EXHUMATION

- 19.1. Disinterment of a body must be conducted pursuant to sections 51 and 55 of the Burial and Cremation Act 1964.
- 19.2. Casket disinterment will only be carried out upon receipt of a disinterment licence issued by the Ministry of Health and Cemetery Burial Warrant and Authority to open form, completed by the funeral director.

20. FLORAL TRIBUTES

20.1. Removal of Flowers Placed at Time of Interment

- a) Only flowers, wreaths, and floral tributes may be placed on graves at the time of Interment. After the lapse of seven days from the date of interment, the Council may remove from any grave any flowers, wreaths, or floral tributes placed there at the time of interment, and cause the surface of the grave to be levelled off and sown down in grass.
- b) In the case of designated natural burial area the grave shall be generally levelled and the area mulched to promote the planned native vegetation.
- c) A temporary grave marker made from timber or plastic, not exceeding 800mm in height may be placed on the concrete beam in a secure manner for up to 12 months following burial.

20.2. Permitted Floral Tributes

- a) After a grave has been levelled and sown as described in section 20.1, artificial or natural cut flowers may only be placed in the container set in recess in the base of the memorial. Containers may not be placed on the beam or the grave.
- b) In natural burial areas tributes must be limited to natural cut flowers only and no containers of any kind are to be placed on or near graves.

20.3. Removal and Disposal of Floral Tributes

- a) Any object or artificial or natural cut flowers placed or remaining on any grave in contravention of 20.2 above or which have become unsightly, or any receptacle which has been broken or damaged, may be removed by the Manager.
- b) The Council shall be under no liability to any person in respect of such removal, destruction or disposal.

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- c) Any fences and rails; any glass, ceramic or terracotta items; any rocks, stones or pebbles; any wire or other metal based items may be removed from any grave by the Manager and may be destroyed or disposed of by the Council as it shall see fit.

21. MEMORIALS

21.1. General

- a) General memorials are to be installed by a monumental mason or a person authorised by council who is familiar with Hamilton Park Cemetery Health and Safety and bylaw requirements. Memorials must be installed according to the NZS 4242:1995 NZ Standard Headstones and Cemetery Monuments.
- b) All foundations for memorials shall be placed and laid to the satisfaction of the Council and in keeping with the NZS 4242:1995 Headstones and Cemetery Monument Standards.
- c) Memorials must be of a permanent material approved by the Council and preclude such materials such as wood, clay, terracotta or aluminium.
- d) Supply, delivery and installation of Memorials will be by and at the expense of the owner of the memorial and will be carried out after the Memorial Permit has been approved and at times agreed with the Manager.
- e) Approval maybe declined for installation where the manager believes the memorial does not comply with the bylaw or by matter of design or representations is not in keeping with what is common or usual in the said area, including dimensions.
- f) No person may construct, erect, place or repair any headstone, plaque, memorial or other memorial or any fence kerb or other enclosure on a grave or plot unless a plan of the proposed erection has been submitted to and approved by the Council, and permission from the Manager has been issued and all prescribed fees paid.
- g) No memorial will be allowed to be placed on the plot where there are any outstanding cemetery debts relating to the deceased.
- h) Any one memorial may include two or more inscriptions. Inscriptions may be engraved onto the memorial or be recorded on lawn plaques affixed to the permitted concrete base or low rise or upright memorials. The lettering, in the case of natural stone ~~shall~~ be embossed or incised and, in the case of metal, raised in a manner and to an extent approved by the Council.
- i) In all concrete beam areas, there must be a distance of at least 200mm between the edge of the base or memorial and the front edge of the beam. If the rear edge of the beam adjoins a garden, the memorial must be 100mm clear from that edge, but if there is lawn to the rear of the beam a full 200mm should be allowed. In either case this area must be kept clear, both front and rear.

21.2. Lawn Cemeteries.

- a) No grave shall be enclosed with any railing or kerbing or similar and no headstone, memorial, cross, marker or memorial shall be placed on any grave except a memorial plaque, which complies with the stated dimensions. Flower containers should be embedded below the ground level.
- b) Only one plaque, or memorial will be allowed on any one grave, and it shall be placed on the grave in a position approved by the Council. A plaque for an adult grave will be 450mm (width) x 300mm (depth), and for a child's grave 380mm (width) x 230mm (depth).
- c) Every plaque must be securely embedded in a concrete base 610mm (width) x 460mm (depth) x 100mm (height) for adult grave and 560mm (width) x 410mm (depth) x 100mm (height) for

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children's graves. The plaque must be embedded so that its upper surface is at the same level as the upper surface of the base.

- d) The plaque, set in its base, will be installed by the Council.
- e) In any given lawn the Council will keep the plaques edged for a period of ten years after the ordinary sale of the last plot. Thereafter the Council will locate and edge any plaque on request from a visitor to the cemetery.

21.3. Upright Memorial Cemeteries.

- a) Upright memorials may be erected in areas of Hamilton Park Cemetery laid with a continuous concrete beam 850mm wide (single) or 1240 mm wide (double) supplied by Council.
- b) An Upright Memorial may be set directly on the beam or on a base. The memorial and/or base must be of a permanent material approved by the Council and must be placed equidistant from the side boundaries of the plot or plots.
- c) For an adult's plot the memorial must not exceed 1100mm (height) including an optional base x 420mm (depth) front to back x 1050mm (width) for single plot base or 2000mm (width) for a double plot base.
- d) For a child's plot the memorial must not exceed 700mm (height) including an optional base 350mm (depth) x 650mm (width).
- e) It is preferred that the design of the memorial include one or two recesses for flower vases; within the memorial dimensions.
- f) Once a memorial has been installed artificial or natural cut flowers may only be placed in the container set in vase recess in the memorial. Containers may not be placed on the beam or the grave.

21.4. Low Rise Memorial Cemeteries.

- a) A low rise memorial may be erected in areas of Hamilton Park Cemetery with a continuous concrete beam 850mm wide (single) or 1320mm (double), supplied by Council. They may be erected at the head of the grave and set directly on the beam.
- b) An allowance of up to 10mm below the maximum memorial dimension or 5mm above the maximum shall be taken into consideration allowing for industry standard variations in cutting stone.
- c) It is preferred that the design of the memorial include one or two recesses for flower vases; within the memorial dimensions.
- d) Once a memorial has been installed artificial or natural cut flowers may only be placed in the container set in vase recess in the memorial. Containers may not be placed on the beam or the grave.
- e) A Low Rise Memorial must include a base and fit into one of the options stated below.
- f) Option 1
Desktop: 560mm (width) x 450mm (depth) x 50mm front (height) /150mm (back height).
Base: 920mm (width x 460mm (depth) x 100mm (height).
- g) Option 2
Desktop: 560mm (width) x 380mm (depth) x 40mm front (height) /120mm (back height).
Base: 920mm (width) x 380mm (depth) x 100mm (height).

21.5. Beam Plaque Cemetery

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- a) In areas of Hamilton Park Cemetery laid out with continuous sloping concrete beams 850mm wide (single) or 1220mm (double), supplied by Council.
- b) One plaque measuring 450mm x 300mm per plot or two plaques of equal size joined together in a horizontal or vertical position on the concrete beam equalling the single plaque dimensions.
- c) The plaque shall be set directly on the beam and must be placed equal distant from the side boundaries of the plot or plots.
- d) The plaque must be made of granite, bronze or porcelain material approved by Council. Plaques shall have a maximum thickness of 25mm.
- e) One vase receptacle is supplied at the top of the beam – to the left side of the plot when facing the beam/plaque.

21.6. Areas for Stillborn Children

- a) In areas of Hamilton Park Cemetery set aside for the purpose the interment of stillborn children the following shall apply:
 - I. No memorial is permitted on the plot, however a metal grave marker, supplied by the Council, will be installed at the foot of the plot including the name of the deceased, row and plot number.
 - II. A plaque of approved permanent material not exceeding 80mm x 60mm may be installed on a central plinth within the cemetery.
 - III. Delivery and installation of the memorial plaque will be by and at the expense of the owner of the memorial plaque and will be carried out after a Memorial Permit has been approved and at times agreed with the Manager.
 - IV. The Manager will maintain the stillborn area as a garden setting and any item placed on the graves will be removed.

22. NATURAL BURIAL AREAS

- 22.1. In areas of Hamilton Park Cemetery set aside for natural burials the following conditions shall apply :

22.2. Memorials

- a) No permanent memorials are permitted. Temporary biodegradable markers supplied by the Cemetery will be installed at the time of interment.
- b) A cemetery tracking system will be used to find burial plots once the area has returned to native vegetation, otherwise the burial plot will not be identifiable.
- c) Trees will be selected and planted by the cemetery in keeping with the Cemetery native vegetation restoration plan. Generally there shall be one tree for every few graves.

22.3. General

- a) Natural burials must comply with all legislative and regulatory requirements.
- b) There is no embalming of the deceased. Certified organic sanitisers are allowable.

22.4. Acceptable Caskets

- a) Caskets must be made of biodegradable, chemically untreated material. Pine, Macrocarpa, Wicker or Willow is deemed acceptable. Casket linings and fittings must be biodegradable. Calico, wool and hemp are deemed acceptable.
- b) All items or contents in the casket (including clothing) must be of biodegradable material.

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22.5. Acceptable Shrouds

- a) Shrouds must be made of natural fibre. Wool, silk or calico are deemed acceptable.
- b) Shrouds must be fastened to a solid base for lowering purposes and made of biodegradable, chemically untreated material.

23. SERVICES CEMETERIES

23.1. Eligibility

- a) Areas of cemeteries may be laid out as Services Cemeteries. Those eligible for burial there are as defined in the Veterans Affairs New Zealand publications.

23.2. Hamilton Park Cemetery Services Cemetery

- a) Burial and ash interment will be permitted as allowed by the above-mentioned publications.
- b) Commemoration is by way of a plaque as described in the above-mentioned publications or by any other means as approved by Veterans Affairs.

24. DENOMINATIONAL AREAS

- 24.1. Council, at its discretion, may set aside a denominational area of burial plots for the use of a religious denomination.
- 24.2. The religious denomination may (at their own expense) place a central memorial and/or sign within the designated area subject to the plans being approved by Council.
- 24.3. The religious denomination may manifest that religious denomination's religion or belief in worship, observance or practice in the denominational area within reasonable limits.
- 24.4. The denominational areas will be either rows or blocks of plots within the existing cemetery.
- 24.5. Memorialisation will comply with the standards specified for the particular cemetery in which the denominational area is set aside.

PART III: CREMATION

25. THE CASKET

25.1. Materials

- a) The casket shall be made of readily combustible material approved by the Council.
- b) The casket may not be made of lead or iron. If a metal case is necessary a thin zinc lining only may be used.
- c) The Manager may decline to cremate any casket comprised of materials that during combustion may result in a breach of the Resource Consent held by the Council.
- d) The casket should not contain any material such as sawdust or pitch, or medical appliance e.g. pacemaker or any item that could cause a hazard in the combustion process.

25.2. Fittings

- a) The casket may be polished and may have the usual furniture but the handles and breast plate must be so fixed as to be easily removed unless made of some readily combustible material approved by Council.

25.3. Dimensions

- a) A casket for cremation must not exceed 2200mm (length) x 440mm (depth) x 840mm (width).
- b) In the event a casket is over-sized the cremation may not take place, and burial as an alternate option will have to be explored.

26. COLLECTION AND STORAGE OF ASHES

- a) Ashes will have to be collected from the Crematorium within 14 days of cremation.
- b) If after fourteen days from the date of cremation the ashes have not been collected and no arrangements have been made for storage, the Council will return the ashes to the Funeral director or agent who delivered the deceased to the crematorium.
- c) Photo identification is required of the person specified to collect the ashes.

27. INTERMENT OF ASHES

- 27.1. On payment of the prescribed fee, ashes may be interred at Hamilton Park Cemetery by one of the following options:

27.2. Garden of Memories

- a) Only fresh flowers placed in the containers provided by the Council are allowed in the Garden of Memories.
- b) The Memorial Walk
 - I. The Memorial Walk provides concrete berms on which memorial plaques may be installed and behind which ashes can be interred in a garden. Up to two lots of ashes may be interred and one plaque installed at each plot.
 - II. Plaques shall be 250mm x 150mm made of bronze or granite or other approved permanent material.
- c) The Memorial Berm
 - I. The Memorial Berm provides a concrete berm on which memorial plaques may be installed and where ashes can be spread in the designated garden. The allowable memorialisation will be in accordance with that allowable for the section of the cemetery in which the particular plot is situated.
 - II. Sunken Garden 1: Plaques shall be 250mm x 150mm and made of bronze or granite as approved by the Council, or
 - III. Sunken Garden 2: Plaques shall be 180mm x 150mm made of bronze.
- d) The Memorial Wall
 - I. The Memorial Wall provides a wall in a sunken garden made of permanent material on which memorial plaques may be installed to memorialise ashes scattered in the surrounding gardens or interred under nearby trees. For each lot of ashes one plaque may be installed on the memorial wall.
 - II. Plaques shall be 150mm x 120mm made of Porcelain.

27.3. Garden of Remembrance

- a) The Garden of Remembrance provides concrete berms on which memorial plaques may be installed and behind which ashes can be interred in a garden. Up to two sets of ashes may be interred and one plaque installed at each plot except for the Bellbird garden where 2 plaques are allowed. Plaque dimensions are as follows for each of the named gardens.

Garden	Material	Dimension
Bellbird	Bronze	150mm X 100mm
Fantail	Granite	250mm X 150mm
Tui	Bronze	250mm X 150mm
Kea	Granite	250mm X 150mm

27.4. The Outdoor Book of Memories

Hamilton City Council BYLAWS



- a) The Outdoor Book of Memories provides an exterior book located in a sunken garden in which memorial plaques may be installed for memorialisation. For each lot of ashes one plaque may be installed in the book.
 - b) Plaques shall be 75mm x 30mm made of engraved plastic laminate.
- 27.5. Garden of Remembrance Columbarium Wall**
- a) The plots allow for one (1) set of ashes. Only ash containers supplied by the cemetery may be placed in a plot. A bronze plaque of 200mm x 180mm must be permanently fixed at time of interment to secure the ashes into the wall.
 - b) The bronze plaque is to be provided by and at the cost of those persons requiring it and may be fixed or removed only by persons duly authorised by the Council.
 - c) A small bronze flower holder may be made as part of the bronze plaque and used to hold either fresh or artificial flowers.
- 27.6. Burial Lawn Plots**
- a) Up to four sets of ashes may be interred in a burial lawn plot at Hamilton East Cemetery and Hamilton Park Cemetery. The allowable memorialisation will be in accordance with that allowable for the section of cemetery in which the particular plot is situated.
 - b) Flowers may be placed in accordance with that allowable for the cemetery in which the particular grave is situated.
- 27.7. Web of Memories**
- a) Only ashes may be interred in these areas of the cemetery laid out with a continuous concrete beam 800mm wide (single) or 1300 wide (double) supplied by Council, on which upright memorials may be installed. Plots shall be 800mm (length) x 800mm (width) with additional 200mm path allowance at the foot of the plot.
 - b) The following provisions will apply:
 - I. A memorial must include a base. The memorial and base must be of a permanent material approved by the Council and must be placed equidistant from the side boundaries of the plot. Only one memorial per plot is permitted.
 - II. The combined dimensions of the base and memorial must be between a maximum 500mm (height) x 650mm (width) x 350mm (depth), and a minimum 400mm (height) x 450 (width) x 260mm (depth).
 - III. There must be a distance of at least 200mm between the edge of the base or memorial and the front edge of the beam. If the rear edge of the beam adjoins a garden, the base may be 100mm clear from the edge, but if there is lawn to the rear of the berm a full 200mm should be allowed. In either case this area must be kept clear, both front and rear.
 - IV. It is preferred that the design include one or two recesses for flower vases; within the base dimensions.
 - V. Delivery and installation of the memorial will be by and at the expense of the owner of the memorial and will be carried out after a Memorial Permit has been approved and at times agreed with the Manager.
 - VI. Once a memorial has been installed artificial or natural cut flowers may only be placed in the container set in recess in the base of the memorial. Containers may not be placed on the beam or the grave.
- 27.8. Returned Service Persons**
- a) The Ash Berm
Only the ashes of servicemen and servicewomen and their spouses may be buried in this area.
 - I. A maximum of two sets of ashes may be buried in any one plot.

Hamilton City Council BYLAWS



Item 7

- II. Flower tributes may be left on the plot only in a standard flower container supplied by the Council.
 - III. Any Veteran's Affairs requirements or criteria relating to memorials or interment of returned service persons and their spouses shall apply.
- b) The RSA Memorial Wall
- I. A memorial strip made of bronze may be placed in commemoration of a serviceman's or servicewoman's cremated remains that are not otherwise memorialised within the services cemetery.
 - II. To establish eligibility to use this service application is made to the Hamilton Branch of the Returned Services Association. On approval an order and payment for the manufacture of a bronze strip 405mm wide by 30mm deep is to be made through the Hamilton Branch of the Returned Services Association.
 - III. Flower tributes are not permitted for this option.

PART IV: OFFENCES/BREACHES & PENALTIES

28. OFFENCES AND BREACHES

- 28.1. No person shall do anything or cause any condition to exist for which prior approval from Council is required under this Bylaw without first obtaining that approval and the failure to do so shall constitute a breach of this Bylaw.
- 28.2. No application for a prior approval from the Council, and no payment of or receipt or any fee paid in connection with such application or approval shall confer any right, authority, or immunity on the person making such application or payment.
- 28.3. Any person commits a breach of this Bylaw who:
 - a) does or causes to be done, or knowingly permits or suffers to be done anything whatsoever contrary or otherwise than as provided by this Bylaw; or
 - b) omits or neglects to do, or knowingly permits or suffers to remain undone, anything which according to the true intent and meaning of this Bylaw, ought to be done by them at the time and in the manner therein provided; or
 - c) does not refrain from doing anything which under this Bylaw they are required to abstain from doing; or
 - d) refuses or neglects to comply with any notice duly given to him/her under the Bylaw; or
 - e) obstructs or hinders any authorised officer of Council in the performance of any duty to be discharged by that officer under or in the exercise of any power conferred upon them by this Bylaw; or
 - f) fails to comply with any notice or direction given under this Bylaw.
- 28.4. Any person commits a breach of this Bylaw who:
 - a) having constructed, affixed or provided, or caused to be constructed, affixed, or provided, any memorial or any work or material of any description whatsoever, contrary to, or other than in accordance with the provision of this Bylaw; or
 - b) having omitted to construct, affix, or provide any work or materials as required thereby, and who does not within a reasonable time after notice in writing has been given to them by the Council or any authorised officer of the Council, fails to carry out the remedial action specified in that notice.

Attachment 1

Hamilton City Council BYLAWS



- 28.5. The notice issued under section 28.3 and 28.4 shall state the time within which the remedial action is to be carried out, and may be extended from time to time by written authority of the Council.

29. PENALTIES

- 29.1. Every person who fails to comply with any part of this Bylaw commits an offence and shall be subject to the penalty provisions outlined in the offences, penalties, infringement offences, and legal proceedings provisions of the Act and the other enabling enactments.
- 29.2. Where any person is alleged to have committed an infringement offence, that person may either :
- Be proceeded against summarily for the offence; or
 - Be served with an infringement notice as provided in the Local Government Act 2002.
- 29.3. The Council may in accordance with Section 162 of the Local Government Act 2002 apply for an injunction restraining a person from committing a breach of this Bylaw.
- 29.4. Pursuant to section 242 of the Local Government Act, any person who breaches this Bylaw commits an offence and is liable on summary conviction to a fine not exceeding \$20,000.
- 29.5. Any person found guilty of breaching the following sections of this Bylaw, will be liable to an infringement fine in accordance with Section 16 (i) of the Burial and Cremation Act 1964.
- Section 12 offences relating to vehicles
 - Section 13 offences relating to animals and dogs
 - Section 14 offences relating to soliciting trade
 - Section 15 offences relating to misconduct
 - Section 17 offences relating to authorised reopening of graves
 - Section 21 offences relating to memorials
- 29.6. The Council may in accordance with the Trespass Act 1980, serve a Trespass notice after warning a person to leave or warning to stay off its premises.

30. MISCELLANEOUS

30.1. Dispensations

- The Council may at its discretion waive any of the requirements of this bylaw except any prescribed by statute if it believes good reason to do so exists.

30.2. Schedules

- 30.3. The First and Second Schedules do not form part of this bylaw.
- First Schedule – Certificate of Purchase of Exclusive Right of Burial.
 - Second Schedule – Burial Warrant and Authority to Open.

The COMMON SEAL of the HAMILTON CITY
COUNCIL was hereunto affixed in the presence
of:

Councillor
Chief Executive

Committee: Strategy & Policy Committee **Date:** 28 June 2012

Report Name: Proposed Hamilton City Cultural and Recreational Facilities Bylaw 2012 - Adoption Report **Author:** Tegan McIntyre

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>This item affects the operation of Councils' Pools, Libraries, Museum and ArtsPost.</i>
Financial status	<i>There is budget allocated through SAP #810 (Bylaw Review) Amount \$20,000 to cover all bylaw reviews</i>
Assessment of significance	<i>Having regard to the decision making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations in not considered to have a high degree of significance</i>

1. Purpose of the Report

- This report presents the outcome of the special consultative procedure on the proposed Hamilton City Cultural and Recreational Facilities Bylaw 2012.

3. Executive Summary

- Council approved the proposed Hamilton City Cultural and Recreational Facilities Bylaw 2012 for consultation on 11 April 2012.
- Public consultation opened on 18 April 2012 and closed on 18 May 2012.
- There were no submissions received on the proposed bylaw.
- Staff recommended that the proposed Hamilton City Cultural and Recreational Facilities Bylaw 2012 be adopted

8. Recommendation/s from Management

- That the report be received
- That Council Hamilton City Cultural and Recreational Facilities Bylaw 2012 be adopted and come into force on 15 August 2012.
- That the Hamilton Cultural and Recreational Facilities Bylaw 2007 be revoked.
- That the Bylaw Schedules: The Library Customer Charter, Pool Rules and Waikato Museum and ArtsPost Customer Charter (Attachment 2) be adopted by Council.

13. Attachments

- Attachment 1 - Proposed Hamilton Cultural and Recreational Facilities Bylaw 2012

15. Attachment 2 - The Library Charter, Pools Rules and Waikato Museum and ArtsPost Customer Charter

16. Key Issues

17. Background

18. The Hamilton Cultural and Recreational Facilities Bylaw was introduced in 2007 when the Hamilton City Public Library Bylaw 1960 and the Hamilton City Swimming Pools Bylaw 1976 were combined due to the similar nature and content.
19. The purpose of the proposed Hamilton City Cultural and Recreational Facilities Bylaw 2012 remains the same as the 2007 bylaw which is to enhance public safety at cultural and recreational facilities under the ownership or control of Hamilton City Council, by minimising offensive behaviour and potential risks to patrons.
20. The facilities covered under this bylaw are the Hamilton public swimming pools, Hamilton City Libraries, Waikato Museum and ArtsPost.
21. The bylaw also makes provisions for Council to, by resolution:
 - a. Adopt rules, charters or policies for the control, management and use of the facility,
 - b. Set hygiene standards,
 - c. Set other health and safety standards.
22. The review process identified that the bylaw was functional and required minor changes, which included:
 - a. Removal of an age reference to a particular facility from the bylaw to address an issue within the rules of that facility,
 - b. Update the bylaw to include direct references to the Trespass Act 1980, to reflect the distinction between the bylaw and the instances where a person can be trespassed under the act.
23. At the 11 April, Council resolved that the proposed Hamilton City Cultural and Recreational Facilities Bylaw 2012 be approved and made available for public consultation as required under the Local Government Act 2002.

24. Consultation Process

25. Submissions on the proposed bylaw were invited over a one month period with the closing date for submissions being 18 May 2012. The bylaw was circulated to identified stakeholders and copies were also made available at all public libraries. A public notice was placed in the 'Hamilton Press' in April 2012 and notices were also posted on Council's website and Facebook page. A public information meeting was held on 24 April 2012. Submissions were invited to be received in both written and electronic form.
26. There were no attendees at the public information hour and no submissions received to the bylaw.

27. Proposal

28. As no submissions were received following the public consultation process, staff propose that the proposed Hamilton City Cultural and Recreational Facilities Bylaw 2012 be effective from 15 August 2012.
29. As part of this process staff are also recommending that minor changes are made to the Library and Museum Charters to get consistency in wording relating to the supervision of children. Recent legal advice has indicated that the reference to Section 10b of the Summary Offences Act 1981 in the charter is not necessary and portrays an erroneous interpretation of this laws application. It is recommended that the reference to this section of the Act be removed and consistent wording ("Reasonably supervise young children while in the Museum/Libraries") be used instead.

30. Financial and Resourcing Implications

31. The review of the bylaw is being completed in-house with existing resources and requires no funding.

32. Risk

33. The bylaw review process had identified the need for authorised officers to have proper training and understanding of the bylaw. Appropriate authorised officers will be trained and updated warranted cards will be provided in order to enforce the new bylaw.

Signatory

Authoriser	Lance Vervoort, General Manager Community
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Approved By:

Date Confirmed:

Date In Force:

Review Date:

HAMILTON CITY CULTURAL AND RECREATIONAL FACILITIES BYLAW 2012

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1. GENERAL

- 1.1. This bylaw is made by the Hamilton City Council under the powers given to it by the Local Government Act 2002.

2. SHORT TITLE

- 2.1. This bylaw may be cited as the Hamilton City Cultural and Recreational Facilities Bylaw 2012.

3. REVOCATION OF EXISTING BYLAWS

- 3.1. The Hamilton City Cultural and Recreational Facilities Bylaw 2007 is hereby revoked.
- 3.2. All matters and proceedings commenced under the bylaw listed in section 2.1 and pending or in progress on the coming into operation of this bylaw may be continued, completed and enforced under this bylaw.

4. PURPOSE

- 4.1. The purpose of this bylaw is to enhance public safety at cultural and recreational facilities under the ownership or control of Hamilton City Council, by minimising offensive behaviour and potential risk to patrons.

5. SCOPE

- 5.1. This bylaw shall apply to any cultural and recreational facility (Council facility) defined in section 6 of this bylaw and shall further apply to any other Council land, building or facility which the Council by resolution states shall be subject to this bylaw.

6. DEFINITIONS

- 6.1. In this bylaw except where inconsistent with the context:

Authorised person/officer	Means an employee or contractor of the Hamilton City Council appointed and warranted to carry out general or specific duties arising from any of the provisions of this bylaw, as defined as an enforcement officer in the Local Government Act and includes a Police Officer.
Council	Means Hamilton City Council.
Cultural and Recreational facility (Council Facility)	In the context of this bylaw it means, Hamilton public pools (Waterworld, The Gallagher Aquatic Centre and the Municipal Pools), the Hamilton City Libraries, the Waikato Museum and Arts Post.
Manager	Means the person appointed by the Council to have charge of the council facility under the control of Council now or in the future and includes any person directed by the Council to perform the duties of the council facility manager for the time being.
Rules	Means rules, charters, policies or documents of this nature.

7. COUNCIL MAY MAKE RULES FOR COUNCIL FACILITY

- 7.1. Council may from time to time, by resolution adopt rules, charters or policies for the following purposes that shall apply to one or more Council facilities:
- a) For the control, management and use of the facility;

- b) For the effective and safe operation of the facility that enables the public to safely enjoy the facility.

7.2. Council may delegate authority to the Manager or person acting in the manager's capacity to prescribe directions and standards for the following matter that shall apply to one or more facilities:

- a) For maintaining good order or conduct whilst person are in or on a Council facility or part thereof; and
- b) For setting hygiene standards and other health and safety standards;
- c) For the closure of that facility or part thereof or for setting aside part of all of that facility for the exclusive use of individuals or group;
- d) For the closure of the facility or part thereof where circumstances would adversely affect facility operations or public safety.

8. DISPLAY OF RULES / CONDITIONS OF USE

8.1. The rules/charters or conditions of use (or equivalent) that apply to any member of the public using that facility will be displayed in a visible place or be publicly available.

9. CONDITIONS OF USE

9.1. An authorised officer of the Council may require any person entering, remaining in or using any facility to comply with any rules or conditions of use imposed by the Council or an authorised officer for the control, management or use of the facility.

10. EXPULSION

10.1. An authorised officer may require any person who in their reasonable opinion:

- a) Is behaving in a disorderly manner, or
- b) Is not bona fide using the council facility for the purpose for which it is intended; or
- c) Refuses to comply with the rules and conditions for use of the Council facility,
- d) to leave the Council facility and will give that person notice that the person is excluded from the Council facility..

11. BREACH

11.1. Any person commits a breach of this Bylaw who:

- a) does or causes to be done, or knowingly permits or suffers to be done anything whatsoever contrary or otherwise than as provided by this Bylaw; or
- b) refuses or neglects to comply with any notice duly given to him/her under the Bylaw; or
- c) obstructs or hinders any authorised officer of Council in the performance of any duty to be discharged by that officer under or in the exercise of any power conferred upon them by this Bylaw; or
- d) fails to comply with any notice or direction given under this Bylaw.

12. OFFENCES & PENALTIES

12.1. Every person who fails to comply with any part of this Bylaw commits an offence and shall be subject to the penalty provisions outlined in the offences, penalties, infringement offences, and legal proceedings provisions of the Local Government Act 2002 and the other enabling enactments.

- 12.2. Where any person is alleged to have committed an infringement offence, that person may either :
- a) Be proceeded against summarily for the offence; or
 - b) Be served with an infringement notice as provided in the Local Government Act 2002.
- 12.3. The Council may in accordance with Section 162 of the Local Government Act 2002 apply for an injunction restraining a person from committing a breach of this Bylaw.
- 12.4. Pursuant to section 242 of the Local Government Act, any person who breaches this Bylaw commits an offence and is liable on summary conviction to a fine not exceeding \$20,000.
- 12.5. The Council may in accordance with the Trespass Act 1980, serve a Trespass notice after warning a person to leave or warning to stay off its premises.
- 12.6. Pursuant to section 11(2) of the Trespass Act 1980, every person who commits an offence is liable on conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 3 months.

13. MISCELLANEOUS

- 13.1. The Schedules do not form part of this bylaw.
- a) First Schedule – Table of offences & Empowering legislation
 - b) Second Schedule – The Library Customer Charter.
 - c) Third Schedule – Pool Rules.
 - d) Fourth Schedule – Museum Customer Charter

The COMMON SEAL of the HAMILTON CITY
COUNCIL was hereunto affixed in the presence
of:

Councillor

Chief Executive

SCHEDULE 1: Table of offences & Empowering Legislation

OFFENCES	STATUTE
Clause 12.2 (a)	Section 239 (1) of the Local Government Act 2002
Clause 12.2 (b)	Section 245 of the Local Government Act 2002
Clause 12.3	Section 162(1) of the Local Government Act 2002
Clause 12.4	Section 242(4) of the Local Government Act 2002
Clause 12.5	Section 3 and 4 of the Trespass Act 1980
Clause 12.6	Section 11(2)(a) of the Trespass Act 1980

SCHEDULE 2: The Library Customer Charter

Hamilton City Libraries Customer Charter

VISION

Shape a city by growing a strong intelligent community with a passion for knowledge

Hamilton City Libraries aspire to:

- Create vibrant, inclusive and accessible community places
- Reinforce the importance of bicultural relationships based on open communication, the uniqueness of Māori heritage, and the values of local iwi
- Provide relevant, up-to-date reference and lending collections, and permanent heritage collections
- Connect the community with leading edge information and communications technology
- Provide great service to all customers through highly professional, skilled and knowledgeable staff
- Provide learning opportunities for customers to gain the skills to find the information they want
- Communicate with and gather ideas from customers, and partner with community organisations
- Deliver effective operations with commitment to continuous improvement.

Our expectations of each other are to:

- Treat one another with courtesy and respect
- Behave in a safe manner in accordance with health and safety regulations
- Respect and look after the libraries and their contents
- Follow library policies, guidelines and specific requirements of designated areas
- Refrain from consuming alcohol, drugs and illegal substances in the libraries; and any food or drink on Level 3 of the Central Library.

Our expectation of our customers is to:

- Reasonably supervise young children while in the libraries.

SCHEDULE 3: Pool Rules

**RULES AND CONDITIONS OF USE FOR
HAMILTON CITY'S PUBLIC SWIMMING POOLS**

1. CHARGES

- a) All fees and charges, subscriptions, membership fees are subject to Hamilton City Council Annual planning process.

2. OPENING HOURS

- a) Facility opening hours are decided through Council resolution only and are displayed at all Hamilton City Public Swimming Facilities.

3. CLOTHING AND TATTOOS

- a) Appropriate swimming attire shall be worn at all times within the pools, spa pools and sauna and steam room of the complex.
- b) No street wear, dirty clothes or undergarments may be worn as swim wear under any circumstance. No t-shirts, denim shorts, cut-off jeans, heavy cotton shorts, cotton singlets, camisoles or any other clothing deemed to be street wear by the Manager or his/her designated person/s.
- c) No gang affiliated patches, clothing items, bandannas or headwear shall be allowed within or on the Council facility at any time.
- d) No tattoos containing offensive wording or outwardly visible gang affiliations shall be allowed within the Council facility. A rash vest may be worn where possible, e.g. to cover body tattoos. Gang affiliated facial tattoos will not be allowed within the Council facility.

4. BEHAVIOUR AND LANGUAGE

- a) No indecent, obscene, disorderly or improper behaviour or language shall be permitted within the facilities, namely the following:
- b) No intimidation of other users or staff will be tolerated within the facility.
- c) No spitting is allowed within any part of the facility.
- d) No substances shall be used prior or during the use of any facility that results in a pool becoming discoloured, rendered unpleasant, turbid, or unfit for proper use.
- e) No running, jumping, pushing, bombing or unsupervised diving from heights shall be permitted in any facility except those areas designated for that purpose.
- f) No graffiti, defacing of facility property or equipment or wilful damage to the facilities by any groups or individuals will be tolerated within the facility.
- g) All children under 2 years who have not been toilet trained shall wear swimming nappies.
- h) Adult users with incontinence problems must wear adult nappies at all times whilst utilising the pools, spas, and sauna or steam room.
- i) Any other existing rules displayed on any signage at any and all Hamilton City Public Swimming facilities must be followed.

5. HYGIENE AND SAFETY RULES FOR THE POOLS, STEAM ROOM, SUN CAPSULE AND SPA POOL

- a) All users of saunas and steam rooms are to wear approved swimwear and are to be seated on a towel at all times.
- b) All users of saunas and steam rooms are to shower before entering any pools or spa pool.
- c) All users of the sun capsule will ensure they follow recommended safety guidelines in conjunction with Solaria Standard AS/NZ 2635: 2002.
- d) All users of the pools are to shower prior to entering the pools if requested by the pool Manager or his /her delegated persons.
- e) No animals shall be allowed access onto the facility grounds unless authorised by the facility manager or his/her designated persons.
- f) The facility manager or his/her delegate may close any pools at any stage if he/she deems the circumstances to be dangerous or hazardous to the public's health and safety.
- g) No person shall enter any pools if they have had diarrhoea within the previous two weeks.

6. SUPERVISION AND RATIOS

- a) All children under the age of 8 years of age must be actively supervised by a competent person aged 16 years or older. Actively means able to render immediate assistance.
- b) All children (under 5) in the 50 metre pool must have a competent caregiver 16 years or older within arms reach. This means that the caregiver will need to be in the pool.
- c) All children (under 3) in the 25 metre pool must have a competent caregiver 16 years or older within arms reach. This means that the caregiver will need to be in the pool.
- d) All disability groups and clients must be accompanied by the recommended ratio of caregivers at all times while utilising the facilities.
- e) All school groups attending programmes, swimming sports days and any other organised school functions within the facility must be accompanied by the recommended ratio of child to teacher for school trips.

7. FACILITY BOOKINGS

- a) All facility bookings at any of the Hamilton City swimming facilities must be made through the respective facility bookings contact person and no one else. Tentative bookings can be made with reception or an administrator should the bookings contact person be absent.

8. FACILITY CLOSURES, COMMERCIAL ACTIVITIES AND SPORTING COMPETITIONS

- a) Council has determined that the closure of facilities or parts thereof in relation to commercial activities and sporting competitions will be determined by facility management. Council Reserves the right to close the facility at any time during the year for structural or cosmetic maintenance needs as and when required.
- b) Council reserve the right to use the swimming pool for the purpose of coaching or teaching. This service will be directed by the Council Annual Planning process where Council will decide all terms and conditions associated with this activity.
- c) Council may in its discretion decide, grant or approve the use of any swimming pool or part thereof for the purpose of coaching or teaching swimming. Council may also in its discretion refuse to grant or renew such rights or approval in any case without assigning any reason, and may at any

time cancel any such approval which may have been granted. No swimming pool shall be used for the coaching or teaching of swimming without the prior permission of the facility Manager.

9. DRUGS, ALCOHOL AND SMOKING

- a) No persons shall enter, remain in or utilise any part of the facility while under the influence of drugs or while intoxicated by alcohol.
- b) No persons shall willingly carry or distribute drugs or alcohol at any time within or on any part of the facility.
- c) No persons shall smoke tobacco within any part of the facility other than those allocated for this specific purpose as per the Smoke Free Environments Act Amendments 2003.

10. MEMBERSHIP AND CONDITIONS OF MEMBERSHIP

- a) Council has resolved to determine that the information required for memberships and any applicable terms and conditions of membership shall be that contained within Club Aqua terms and conditions or concession card membership forms.
- b) All members of the pools or Club Aqua are bound by the terms and conditions that accompany these memberships and are not excluded from the governance of normal operating procedures or facility safety guidelines.

11. HYGIENE, SAFETY AND BEHAVIOURAL RULES FOR CLUB AQUA

- a) No non-members, spectators or children are permitted on the gym floor unless approved by the Manager and accompanied by a staff member.
- b) Safe and suitable footwear and clothing must be worn at all times.
- c) No wet/dripping clothing is to be worn in the gym.
- d) Members must have a sweat towel with them at all times while using the gym.
- e) All equipment is to be used in an appropriate manner and it is to be put back after use or returned to original starting position.
- f) No indecent, obscene, disorderly or improper behaviour or language shall be permitted at any time within the gym.

12. CAR PARKING

- a) All patrons utilising the facilities are required to park in the spaces provided. All patrons utilising the Disabled access parks are required to display a disabled parking card on their dashboard or risk being towed from these parks.
- b) No patrons, sports administrators or officials are to park in staff car parking areas or loading zones or emergency access areas. Non-staff cars will be towed at the owner's expense.

13. OVERCROWDING

- a) The facility manager or his/her delegated person/s may choose at any time to temporarily close a pool if he/she deems that the numbers swimming or the level of water clarity inhibit staff's ability to supervise swimmers safely.

SCHEDULE 4: Waikato Museum and ArtsPost Customer Charter

Waikato Museum and ArtsPost Customer Charter	
Mission Statement	Waikato Museum, Te Whare Taonga o Waikato, is the artistic and cultural heart of our city. We value and celebrate our rich and diverse cultural heritage, particularly with respect to our relationship with iwi, and also our region's artistic vibrancy and flair for scientific innovation.
ArtsPost Purpose	Growing a dynamic and supportive environment for the arts in Waikato.
This charter explains the service levels you can expect from Waikato Museum and ArtsPost, and our expectations of our customers.	
Waikato Museum and ArtsPost will:	
<ul style="list-style-type: none"> ▫ Welcome you to our facilities in the spirit of whanaungatanga as we would welcome you as a guest to our house ▫ As guardians of our culture and heritage commit to the principles of the Treaty of Waitangi and develop and implement bicultural practice through consultation with Tangata Whenua ▫ Communicate with you with integrity and respect to produce excellent visitor experiences ▫ Aim to exceed your expectations by providing you with useful information about our experiences and services ▫ Ensure our facilities are clean, safe and accommodating to our visitors ▫ Continue to operate in an environmentally sensitive manner by considering the impact of our services on the environment by using environmentally friendly products where possible ▫ Be open to change, willing to listen, and endeavour to respect the wishes of the community in alignment with our values and mission. 	
Our customers will:	
<ul style="list-style-type: none"> ▫ Treat our facilities and our taonga and treasures with respect ▫ Treat one another with respect and behave in a safe manner in accordance with our health and safety regulations ▫ Follow the museum and ArtsPost's policies and guidelines ▫ Reasonably supervise young children while in the Museum. 	

Committee: Strategy & Policy Committee **Date:** 28 June 2012

Report Name: Determination Report - Review of Hamilton City Speed Limit Amendment Bylaw 2011 **Author:** Tegan McIntyre

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>This item affects Hamilton City Speed Limit Bylaw Amendment 2011</i>
Financial status	<i>There is budget allocated through SAP #810 (Bylaw Review) Amount: \$20,000 to cover all bylaw reviews</i>
Assessment of significance	<i>Having regard to the decision making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance</i>

1. Purpose of the Report

- The purpose of this report is to determine whether a bylaw is the most appropriate way of addressing the issues associated with setting speed limits within Hamilton.

3. Executive Summary

- The Local Government Act requires all bylaws to be reviewed every 5 years. The Hamilton City Speed Limit Bylaw was last fully reviewed in 2007 and therefore now requires a review.
- The first step required in the bylaw review process is to determine if a bylaw is the most appropriate mechanism to deal with the perceived problem.
- Analysis has been undertaken and a bylaw is still considered the most appropriate mechanism for addressing the issues associated with setting speed limits within Hamilton.

7. Recommendation/s from Management

- That the report be received
- That Council determine that a bylaw is the most appropriate mechanism to address issues relating to setting speed limits in Hamilton.
- That Council resolve that a Statement of Proposal be drafted, based on Option 3 of the report, for the Strategy and Policy Committee meeting in September 2012.

11. Attachments

- There are no attachments for this report.

13. Key Issues

14. Background

15. Council reviewed the Hamilton City Speed Limit Bylaw 2004 in 2007 as per the local Government Act 2002 requirements. At that time, it was determined that the most appropriate format for the setting of speed limits within Hamilton was a bylaw.

16. On 5 December 2007 Council passed the Hamilton City Speed Limit Bylaw 2007 into being.

17. Since this time a number of schedules attached to the Hamilton City Speed Limit Bylaw 2007 have been up dated, as resolved by Council and in line with the Local Government Act 2002 process.

18. The most recent amendment brought into the bylaw was the speed limits on the roads included in the June 2011 boundary changes. With this amendment the bylaw name was updated to the 'Hamilton City Speed Limit Amendment Bylaw 2011'.

19. Hamilton City Speed Limit Amendment Bylaw 2011

20. The purpose of the bylaw is to set speed limits on any road within the jurisdiction of Hamilton City Council other than State Highways controlled by the New Zealand Transport Agency.

21. The bylaw covers:

- all roads (as defined under the Land Transport Act 1998) under the control and/or management of the Council, and such roads under agreement with neighbouring authorities as specified in Schedule 11;
- the roads or areas described in Schedules appended to the bylaw or as indicated on the maps referenced are declared to be subject to the speed limits specified in the Schedules; and
- All other roads or areas not subject to the attached Schedules and located within the Urban Traffic Area indicated in Schedule 15 are deemed to have an urban speed limit of 50km/h.

22. Offences, penalties, and fees relating to infringement of speed limits are provided for in the relevant provisions of the Land Transport Act 1998, the Land Transport (Road User) Rule 2004 and the Land Transport (Offences and Penalties) Regulations 1999.

23. The bylaw is enforced by the Police.

24. Legislative requirements or legal issues

25. Section 158 of the Local Government Act 2002 states that Council have to review bylaws made under this act no later than 5 years, if the bylaw was made after 1 July 2003.

26. The Land Transport Rule: Setting of Speed Limits 2003 requires a road controlling authority (in this case Council) to designate urban traffic areas and validate speed limits by making a bylaw.

27. The Local Government Act 2002 (the Act) requires the following two-step process to be used when reviewing bylaws:

- determine if a bylaw is the most appropriate mechanism to deal with the problem; and
- determine the most appropriate form for the bylaw and consider if the bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990.

28. Appropriateness is addressed in this report while form and Bill of Rights implications will be addressed in a subsequent report. It is a requirement of the Act that these matters are dealt with separately.

29. If a bylaw is not considered the most appropriate mechanism to deal with a problem, it should not be used to address the problem. Similarly, no bylaw can be made that is inconsistent with the New Zealand Bill of Rights Act 1990.

30. Determination

In order to determine whether a bylaw is still the most appropriate way to address perceived problems. In this instance analysis shows that:

- Council is required by legislation to designate urban traffic areas and to set speed limits for all roads within the city.
- A bylaw is required to establish legally enforceable speed limits.
- Without a bylaw, speed limits in the city would not be legally enforceable and therefore ineffective.

31. Consultation

32. Section 78 of the Local Government Act requires local authorities to give consideration to the views and preferences of persons likely to be affected by, or have an interest in the subject matter at every stage of the process.

33. Initial key stakeholder consultation was carried out in May 2012, which included representatives from:

- NZTA,
- surrounding local authorities,
- NZ Police, and
- Several other parties known to have an interest in this topic.

34. No specific issues were identified by stakeholders to be addressed within the main body of the bylaw, although it is anticipated that there will be significant interest in the schedules attached to the bylaw that specify speed limits for the various roads. Further consultation will occur on this matter during the next stage - preparation of a Statement of Proposal.

35. Meetings have also been held with internal staff to evaluate how effectively the current bylaw addresses issues.

36. The following issues were identified with the current bylaw:

- General updating of formatting;
- References to legislation needs to be updated;
- The Police need to be added as an 'authorised officer' for enforcement purposes;
- An additional section needs to be added to clarify the ability for Council to alter speed limits by resolution; and
- The schedules containing the speed limits require thorough review and updating.

37. Benchmarking against other councils showed that speed limits for local roads are set through bylaws.

38. Options

39. In line with the bylaw review process, the following options have been identified and considered for the bylaw:

40. **Option 1 - Revoke bylaw and rely on existing legislation or internal mechanism**

The Land Transport Act 1998 and the Road User Rules are designed to be implemented at a local authority level through bylaws. Not recommended as without a bylaw in place there is no way to set enforceable speed limits.

41. **Option 2 - Review and update the bylaw through amending it.**

A review and update of a bylaw enables minor changes to be made without revoking the current bylaw. Not recommended as the extent of likely amendments is considered to be more significant than constitutes an 'update' to the bylaw.

42. **Option 3 - Revoke and make a new bylaw (recommended)**

A new bylaw would be made if the proposed changes to the current bylaw were too significant to be classed as amendments. Recommended option as the issues identified during the initial

evaluation phase are considered to be significant enough to warrant revoking the current bylaw and making a new one.

43. Financial and Resourcing Implications

- 44. The cost of developing and reviewing city bylaws is already budgeted for in SAP #810 (Bylaw Review). No additional budget is requested related to the review.
- 45. The review of the bylaw will likely have operational impacts, for instance, if speed limits are changed budget will be required to update signage.

46. Risk

- 47. There is no significant risk identified with the review of the bylaw.

Signatory

Authoriser	Chris Allen, General Manager City Infrastructure Group
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Committee: Strategy & Policy Committee **Date:** 28 June 2012

Report Name: Review of Process for Developing Council Submissions to External Organisations **Author:** Mark Brougham

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Not applicable</i>
Financial status	<i>There is no budget allocation or financial implications</i>
Assessment of significance	<i>Having regard to the decision making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance</i>

1. Purpose of the Report

- The Strategy and Policy Committee, in discussing Council's submission to the Draft Auckland Plan at its 22 November 2011 meeting, resolved that the process for developing Council submissions to external organisations be reviewed and reported back to the Committee.
- This report outlines a simplified and improved process for developing Council submissions that will ensure a 'whole of Council' view. The report also incorporates feedback received on the original report that was considered by the Strategy and Policy Committee at its 23 May 2012 meeting.

4. Executive Summary

- Council regularly makes submissions to various organisations. As feedback indicates that the current process is not working as well as it could, a simplified and improved process for developing Council submissions is outlined.

6. Recommendation/s from Management

- That the report be received.
- That the proposed process for developing Council submissions outlined in Section 21 be approved.
- That the existing Council policy entitled "Submissions by Council on Plans, New Legislation and External Policy Reviews and Strategies Policy" be deleted and replaced by the process outlined in Section 21 of this report.
- That the Council policy entitled "Submissions by Council Under the Resource Management Act 1991 Policy" be updated to reflect that submissions are to be considered by the Strategy and

Policy Committee, not the City Development Committee as shown in the policy.

11. Attachments

12. Attachment 1 - Submissions by Council on Plans, New Legislation and External Policy Reviews and Strategies Policy
13. Attachment 2 - Submissions by Council under the Resource Management Act 1991 Policy

14. Key Issues

15. Background
16. Council regularly makes submissions to various organisations on issues that have the potential to impact on Hamilton and/or Council's operations. Submissions are regarded as an important mechanism to ensure that the views of Council and Hamilton's residents are advocated at a city, regional and national level. They also assist in raising Hamilton's profile. Council has made 94 submissions to external organisations over the past five years (an average of 19 per year).
17. Feedback indicates that the current process is not working as well as it could, particularly around the content of draft submissions circulated to Elected Members for comment. A lot of feedback has been received that the submissions are too detailed and fail to focus on the key significant issues.
18. There are currently two policies in place for Council submissions to external organisations i.e.:
 - a. "Submissions by Council on Plans, New Legislation and External Policy Reviews and Strategies Policy". While the process to develop Council submissions outlined by this policy is similar to that shown in Section 21 of this report, it is by no means as comprehensive.
 - b. "Submissions by Council under the Resource Management Act 1991 Policy". This policy outlines the various situations when Council submissions of a resource management nature can be made (e.g. proposed district plans, variations or plan changes).
19. In regard to the latter policy, it also notes that "The Chief Executive may lodge submissions where the matter is routine or urgent to meet statutory deadlines provided that any submission is reported to the City Development Committee, or Council, which may endorse, withdraw, or amend (reduce) the submission or its scope". In many cases (due to submission closing dates not coinciding with committee meetings), submissions are required to be considered by the committee retrospectively.
20. The comprehensive nature of the process outlined in Section 21 of this report supersedes the first policy (17 a.), meaning that it needs to be revoked.
21. The second policy (17 b.) around Council submissions of a resource management nature should remain, but needs to be updated to reflect that submissions are to be considered by the Strategy and Policy Committee, not the City Development Committee as currently shown in the policy.
22. It is therefore proposed to implement a simplified and improved process, with the main change being upfront input by the Senior Leadership Team (SLT) to determine the submissions Council will submit on and the key points to be included in early information to Elected Members. Submissions will no longer be detailed, and instead will focus on the core key issues that Council wishes to make. This process is outlined below:
 - a. Potential submissions are discussed by SLT.

- b. SLT decide whether Council will make a submission, and if so whether HCC representatives will speak at the hearings (if a hearing process is available) in support of the submission. SLT will also consider the key points to be included in the draft submission. The key points of any submission will be guided by and reflect existing policy and relevant decisions of Council.
- c. A schedule of upcoming submissions is circulated to Elected Members on an as and when required basis. This will include a brief description of the document Council will be submitting on (including an outline of the document's key points), SLT's key submission points, reference to the key pages of the original document being submitted on, the submission closing date and, if Council intends to speak at the hearings in support of its written submission, when the hearings are scheduled.
- d. Submissions are to be succinct and focus on the key issues only (identified by SLT). They also need to be of a similar style and look, with the introductory section outlining Council's key messages and what changes it would like to see made.
- e. The Strategy and Research Unit coordinates the development and approval of these points, as well as circulation of the draft submission to Elected Members for comment.
- f. When Elected Members provide comments on the draft Council submission by email, they need to 'reply to all'. This will ensure that all Elected Members are then aware from the outset of the comments being made.
- g. Comments from Elected Members are integrated into the final submission where they align with existing Council policies and strategies.
- h. For new matters, or where there is no Council policy, feedback and a mandate for submission points will be gained from Elected Members through workshops, informal team meetings or committee meetings (where practical) and where timeframes permit.
- i. Where there is sufficient time, a revised draft submission will be recirculated to Elected Members for further comment. Changes to the revised draft will be clearly marked and will identify the Elected Member who made a specific comment.
- j. The final submission is approved by the relevant General Manager(s) and the Chief Executive, and where practical, this will take place in consultation with the Mayor, Deputy Mayor and/or the Chairperson of the Strategy and Policy Committee.
- k. The final submission is emailed to the relevant organisation (Elected Members and SLT are copied in).
- l. Final submissions are uploaded to Council's website.
- m. A briefing session on the submission's content is held with the Mayor, Deputy Mayor and/or Chair of the Strategy and Policy Committee and key staff prior to them attending the hearings.
- n. The Mayor (and relevant staff) presents Council's submission at the hearings. If the Mayor is unavailable to make the presentation, the Deputy Mayor, Chair of the Strategy and Policy Committee or appropriate Councillor will present the submission. In the event of no Elected Members being available, the Chief Executive or a General Manager will present Council's submission.
The response letter to Council's submission is circulated to Elected Members and SLT, with staff to follow up on any points that need to be actioned.

Signatory

Authoriser	Blair Bowcott, General Manager Performance Group
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Submissions by Council on Plans, New Legislation and External Policy Reviews and Strategies Policy

Sponsor: General Manager City Planning & Environmental Services

Date Approved: 13 May 2005

Date Reviewed: 10 March 2008

File Reference:

Community Outcome: Working Together

Collaborative decision-making and planning are common practice.

Objective

To enable Council to participate in, and make submissions and representation to external bodies or agencies on matters of interest to the Hamilton City Council.

Policy

1. Hamilton City Council will participate in the following:

1. Submissions on the LTCCP's or Annual Plans of Environment Waikato and neighbouring territorial authorities

2. Submissions on new or amended legislation which directly or indirectly affect the business of Hamilton City Council or impact on the wellbeing of the residents of Hamilton

3. Submissions to the Crown, Local Government New Zealand or any public agency on policy initiatives, reviews, or strategies where they have the potential to directly or indirectly affect the business of the Hamilton City Council or the wellbeing of the residents of Hamilton.

2. Any topic for submission, review, or participation shall be reported to the Chief Executive, by the General Manager Strategic, and include a recommendation as to Council's level of engagement.

1. The Chief Executive, shall advise, following consultation with His Worship the Mayor one of the following:

no submission to be prepared

a staff (technical) submission to be prepared at the discretion of staff

a staff (technical) submission to be prepared

a Council submission to be prepared.

2. Council submissions may be prepared by:

staff (and circulated to elected members for comment prior to submission)

by a Working Party nominated by His Worship the Mayor

delegated to a Committee to action.

3. Council submissions shall be signed by the Chief Executive, staff submissions to be signed by the relevant General Manager.

3. The level of participation (including participation on external working parties), submissions, and oral presentations will be determined on a case by case basis.

Submissions by Council Under the Resource Management Act 1991 Policy

Sponsor: General Manager City Planning & Environmental Services

Date Approved: 1995

Date Reviewed: 10 March 2008

File Reference: 122/2 and 124/2

Community Outcome: Working Together

Collaborative decision-making and planning are common practice.

Objective

To provide procedures for lodging Council submissions under the Resource Management Act 1991.

Policy

From time to time Council lodges submissions, and or further submissions:

- to its own Proposed District Plan, Variations on Plan Changes
- to requirements, alterations to designations, or Heritage Orders
- to the plan, variations and plan changes of other local authorities
- to resource consents being considered by other local authorities.

1.Council submissions may only be lodged in respect of proposed Regional Policy Statements and Plans, proposed District Plans, Variations, Plan Changes, privately promoted Plan Changes, Requirements, Alterations to Designations, Heritage Orders,being all within its own District or within and or by other Districts and Requiring Authorities.

2.Council submissions may be lodged opposing or supporting applications for resource consents from other territorial authorities.

3.Council submissions may only be lodged with respect to matters covered by this Policy with the authority of the City Development Committee.

4.The Chief Executive may lodge submissions where the matter is routine or urgent to meet statutory deadlines provided that any submission is reported to the City Development Committee, or Council, which may endorse, withdraw, or amend (reduce) the submission or its scope.

5.The preparation of any submission shall be co-ordinated by the General Manager Strategic and recommended to the Chief Executive for approval.

Previous Review Dates

13 May 2005

6 November 2002

Committee: Strategy & Policy Committee **Date:** 28 June 2012

Report Name: Future Proof Update Report **Author:** Loren Brown

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Future Proof, Hamilton Urban Growth Strategy</i>
Financial status	<i>There is budget allocated SAP888</i>
Assessment of significance	<i>Having regard to the decision making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance</i>

1. Purpose of the Report

2. To update Council Committee on recent Future Proof actions and activity.

3. Executive Summary

4. June has been a busy month with the staff level Implementation Group and Chief Executive meeting on the 13 June and Future Proof Implementation Committees taking place on the 14 June.
5. The key focus of discussions and actions included identifying the priority work areas for the upcoming year; the progress of the Regional Policy Statement; Future Proof's feedback on the Hamilton City Draft District Plan Review; the public consultation on the Sub-Regional Three Waters Strategy; and engagement with Matamata-Piako District Council.
6. Further to the previous Strategy and Policy meeting on the 23 May 2012, staff have added to the analysis on the Council's risk register.

7. Recommendation/s from Management

8. That the report be received

9. Attachments

10. There are no attachments for this report.

11. Key Issues

12. Future Proof's Priority Actions
13. As published, Section 8 of the Future Proof Implementation Strategy included a variety of actions which could help focus areas of work priority and would assist in achieving the overall vision of the Strategy. The vision included creating a diverse and vibrant metropolitan centre tied to distinctive, thriving towns and rural communities which are the place of choice for those looking for opportunities to live, work, invest and visit.

14. There over 160 actions identified within the initial strategy, many of which have now been completed or are underway directly by the partnership, or by the individual partner members or by other agencies who also have a role in managing growth, the built environment or the physical environment.
15. The Future Proof Implementation Committee (FPIC) reviewed the action list and identified some areas where energies should be focused, including the implications of an aging population in particular including implications for housing; establishing a monitoring framework and information sharing protocol with input from the partner Councils; greater emphasis on communications and continued working and input into RMA and LTP documents.
16. Future Proof's feedback into the Draft District Plan Review
17. As well as each of the partner Councils and organisations providing feedback on the Draft District Plan Review (DPR), Future Proof has also provided feedback.
18. The DPR team will be working through this feedback and will work with the partners to iron out any possible areas of tensions before the Proposed Plan is notified.
19. The sub-regional Three Waters Strategy
20. The collaboratively produced strategy is currently out for public consultation under the Local Government Act process. Consultation closes on the 31 July 2012.
21. Future Proof Implementation Committee members will participate in hearings to hear submissions, which will be held in August or September, dependant on the number of submissions received.
22. Engagement with Matamata-Piako District Council
23. At this stage MPDC has observer status in Future Proof. The Implementation Committee would still like to offer a role in greater involvement from MPDC politicians and staff, which should be progressed at Chief Executive level.

24. Financial and Resourcing Implications

25. The approved budget is on track.

26. Risk

27. At the previous Strategy and Policy Committee on the 23 May 2012, staff were asked to look into the risks to the Future Proof Strategy and partnership, should the Future Proof principles and policies not be recognised in the Regional Policy Statement (RPS). The Future Proof project already appeared on the Council-wide risk register, which has now been amended to more explicitly reflect the aforementioned risk. The level of risk has not been altered as a result as this was adequately reflected.
28. WRC staff have now also reported back to the RPS Commissioners on their recommendations which broadly includes full recognition of the Future Proof principles in terms of adopting the Future Proof land use pattern; providing density targets; focussing commercial development including industrial land and retail/offices into recognised growth areas or existing settlements; and managing rural-residential development. While the staff report has no weight in terms of subsequent recommendations by the Commissioners and decision making by Waikato Regional Council, it is a useful indicator of latest thinking and very positive in that respect.

Signatory

Authoriser	Brian Croad, General Manager City Environments Group
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Committee: Strategy & Policy Committee **Date:** 28 June 2012

Report Name: Discretionary Transportation Funding - 3 Year Programme **Author:** Phil Consedine

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Access Hamilton</i>
Financial status	<i>There is no change to existing budget allocations</i>
Assessment of significance	<i>Having regard to the decision making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance</i>

1. Purpose of the Report

2. This report proposes indicative programmes of work for the next three years for the four discretionary transportation improvement projects that assist in the delivery of the Access Hamilton Strategy:
 - Integrated Transport Initiatives
 - Minor Works
 - Safer Speed Areas
 - Public Transport Infrastructure

3. Executive Summary

4. Indicative Programmes of work have been prepared for the four discretionary transport funding budgets for the next 3 years.
5. The programmes are based on the strategic framework for prioritisation which was agreed at the 5 April 2012 Strategy and Policy Committee meeting. It is intended to gain the best value for money and to achieve the highest benefit to road users within the available budgets.

6. Recommendations from Management

7. That the report be received.
8. That the 3 Year indicative programmes for the discretionary Transportation Improvement projects as included in the report be endorsed, noting that these will change over time as priorities are continually assessed.
9. That staff periodically report against these programmes to the Operations and Activity

Committee as part of the Transport activity report.

10. Attachments

11. Attachment 1 - Integrated Transport numbered Precincts Map
12. Attachment 2 - Integrated Transport Initiatives - priority ordered precincts 2012
13. Attachment 3 - Proposed Integrated Transport Initiatives - Walking
14. Attachment 4 - Proposed Integrated Transport Initiatives - Cycling
15. Attachment 5 - Proposed Integrated Transport Initiatives - Public Transport
16. Attachment 6 - Proposed Minor Works 2012-15
17. Attachment 7 - Safer Speed Area example of proposed works - Hamilton East
18. Attachment 8 - Proposed Safer Speed Areas programme - 2012-15
19. Attachment 9 - Bus Shelter and Accessible Kerb Programme 2012-15
20. Attachment 10 - Cycle Lane Kerb Separation Example

21. Key Issues

22. Strategic Alignment

23. The Access Hamilton Strategy provides for the movement of freight and people around the city and acknowledges that at peak times there will be congestion; it prioritises bus use and improvement of the amenity for pedestrians and cyclists, information system and travel demand management programmes to minimize peak demand. It incorporates an Integrated Transport Plan that provides a framework for the identification, prioritisation and implementation for an affordable, integrated, safe, responsive and sustainable transport system.
24. The Access Hamilton Strategy is the core strategic document for the management and development of transport in the city. The strategy includes an Integrated Transport Plan supplemented by 7 Action Plans These are listed below with the those that influence the Discretionary expenditure being highlighted:
 - Parking Management
 - **Transport Safety**
 - **Travel Demand Management**
 - **Active Travel**
 - Activity Management
 - Network
 - **Passenger Transport**

25. Background

26. At the 5 April 2012 Strategy and Policy Committee a report outlining a strategic framework for prioritising projects within the four discretionary transportation improvement projects was considered. These project budgets are part of the 2012-22 10-Year Plan to maximise delivery of the Access Hamilton Strategy outcomes. The framework builds on earlier work in developing these programmes and uses tools that are specifically designed to be used for prioritisation or ranking purposes.

27. At that meeting the Committee resolved that:
'staff be requested to report back to the June 2012 Strategy and Policy Committee with an indicative 3 year prioritised programme of activities for each of the four discretionary minor traffic improvement budgets using the prioritisation framework outlined in the report before the Committee.'
28. A general description of the scope of each of the discretionary budgets follow:
- **Project 12172 – Integrated Transport Initiatives:** this is a new project principally to provide new and improvement infrastructure to grow the walking, cycling and public transport mode share. It combines the previous Passenger Transport, Walking and Cycling programmes into one integrated programme.
 - **Project 12020 – Minor Works:** this project provides for miscellaneous safety improvement projects and to respond to enquires for new minor infrastructure from the community.
 - **Project 12021 – Safer Speed Areas:** this project focuses on delivering slower speeds on local roads
 - **Project 12022 Public Transport Infrastructure:** this project allows us to install new bus shelters and retrofit bus stop kerbs to a full wheelchair accessible standard.
29. The following funding provisions for these projects over the next three years was agreed at the April 2012 Strategy and Policy committee:

Programme	2012/13 \$	2013/14 \$	2014/15 \$	NZTA Subsidy included in LTP funding stream
Integrated Transport Initiatives	600,000	600,000	600,000	No
Minor Works	550,000	556,000	561,000	Yes – 55%
Safer Speed Areas	532,000*	532,000	532,000	Yes – 55%
Public Transport Infrastructure	200,000	200,000	200,000	Yes – 50%

* Includes full NZTA subsidy

The agreed split for the Integrated Transport Initiatives programme was:

- Walking	200,000	100,000	100,000	
- Cycling	300,000	300,000	200,000	
- Public transport	100,000	200,000	300,000	

30. At this stage the programmes for each year particularly 2013/14 and 2014/15 are considered to be indicative and could change as priorities are continually reassessed. This constant review will allow a review of current issues including crashes and accessibility modelling to occur and any necessary changes to be made to ensure that the programmes maximise the benefits while being responsive to any changes occurring within the transportation network.
- 31. Programme Development**
- 32. Integrated Transport Initiatives**
33. As agreed at the previous Committee meeting, the city has been divided into 27 precincts as a method of assessing priority and implementing improvements. It was deemed appropriate that improvements on a precinct basis would be more effective than on a city wide basis. Attachment 1 shows the map of precincts.
34. The precincts have been prioritized on the analysis of need using the Accessibility Modelling software. The modelling includes details of household and destination data along with travel

mode availability and on-route barriers to travel for each mode. The destinations that have been adopted for the trip accessibility analysis include the following:

- Primary Schools
- Intermediate Schools
- Girls Secondary Schools
- Boys Secondary Schools
- Further Education
- Medical Centres
- Hospitals
- Convenience Stores
- Supermarkets
- Employment zones

35. The precincts that have the least accessibility have been ranked as highest priority. However other factors are taken into consideration to ensure the effectiveness of the treatment. For instance there is little benefit in delivering changes in an area until impediments which are outside the precinct, and prevent the journey, have been provided. The ordered priority list of precincts is included in Attachment 2.
36. The list of potential projects is more than 1500 in number across the city (20-100 projects per precinct). A balanced approach is proposed for adoption whereby improvements of a marginal benefit in a precinct will be deferred to allow the advancement of higher priorities in other precincts. Some improvements have been determined as appropriate to be completed in conjunction with planned maintenance/renewal works or other development to reduce cost and minimise disruption to road users.
37. The first 3 years works plus some other key projects are listed in Attachments 3, 4 and 5 covering Walking, Cycling and Public Transport initiatives respectively.
38. The types of improvements proposed in this programme include:
 - Segregated cycle lanes
 - Median island crossing points for cyclists ease of crossing
 - Signalised pedestrian / cyclists crossings across major roads
 - Safe route signage
 - Bus or transit lanes – where significant congestion is known to hold up bus timetables
 - Bus boarders – where parking problems exist that current prevent buses from pulling in to the stop
 - Raised crossing platforms – to slow traffic and provide a safe environment for pedestrians to cross
 - Mini-roundabouts to provide priority for buses turning out of side streets onto main roads
 - Prioritised crossings at left slip lanes at major intersections
39. The travel planning and road safety education programmes will be aligned with the precinct approach.
40. Staff are working closely with Waikato Regional Council (WRC) in the development of the public transport and delivery of the public transport workstream. In developing the indicative programmes for Public Transport Infrastructure, the operators have been involved to ensure we capture all of the known “pinch points”.

41. The WRC has initiated a strategic review of the public transport network. This review will take about one year to complete and it would form the basis of new contracts with bus operators which will come into effect in approximately two years. Our proposed programme for the next three years has made allowance for this review by scaling the expenditure with a bias towards year three of the programme.
42. There are a number of candidate projects that have been identified for consideration and are currently listed as unfunded in the schedules including:
- *Intersection improvements at Ward /Anglesea St*
 - *City Wide Special Vehicle Provisions* – this is to develop a city wide strategy for the implementation of Special Vehicle Lanes (Bus only, high occupancy lanes etc) on key routes with the intention of identifying the most urgent stretches of the network. The work would include consideration of the benefits, options, risks, stakeholder concerns (eg WRC and NZTA), costs, operational and enforcement requirements. This would be reported back to the Committee in the future with a coordinated approach and priority.
 - *V8 Track Reinstatement*
- 43. Minor Works (previously named Minor Traffic Improvements)**
44. The Minor Works programme is heavily targeted towards safety improvements and is not area/precinct specific. The programme is developed from a number of sources including fatal crash investigations, public requests, crash reduction studies and staff observations. This programme is fully subsidised by NZTA and each distinct project must have a total value less than \$250,000 to receive this funding. NZTA has a developed methodology and ranking system which must be followed to enable their funding to be available.
45. The proposed indicative programme for the next three years is provided in Attachment 6.
- 46. Safer Speed Areas**
47. The Safer Speed Areas Demonstration Project Plan, approved by Council at the May 2011 Infrastructure subcommittee meeting, set out the following as the purpose of the project:
- Reduce the number and severity of crashes occurring on Hamilton City local urban roads. Managing speed is crucial to reducing the number and severity of crashes because the outcome of all crashes is strongly influenced by the impact speed.
 - Create a demand in the community for lower speeds in residential streets so that they can serve their primary purpose of an area where multiple modes of transport can interact safely.
 - Develop an understanding of the degree of ‘hearts and minds’ communications / education vs physical engineering works needed to achieve lower travelling speeds.
 - Contribute to the national demonstration project for Safe Speeds and provide monitoring and evaluation to the research papers being commissioned by the NZTA.
48. As noted in the report to the Operations and Activity Monitoring Committee at the June 2012 meeting, the results of the eight demonstration areas introduced in 2011 have been pleasing and can be expected to improve as the idea of Safer Speed Areas becomes more common both within Hamilton City and across NZ. The demonstration project has achieved its purpose, and provides us with good information on which to develop our future rollout of Safer Speed Areas within the city.

49. The speed management regime report (also to be considered at this meeting) proposes to establish 40km/h as the desirable speed limit for local residential roads within Hamilton City and this will be progressively achieved via:
- Implementation of the Safer Speed Areas programme
 - Incorporation of this desire in key documents including the Infrastructure Technical Specification Manual – such that all new residential local roads will be of a style and layout for a 40km/h speed limit to be imposed without any subsequent physical changes to the road being required.
- 50. *Selecting the areas***
51. As for the demonstration project, the areas are based on natural groupings of local residential roads which are bounded by roads of higher classification in the hierarchy – i.e. collectors and arterials and the name for each area is taken from one of the key roads within that area.
52. The prioritisation process set out in the report to the Strategy and Policy committee at the April 2012 meeting established safety as the key consideration for determining the priority of implementation, with traffic volumes, speeds and pedestrian presence generators e.g. childcare facilities then be considered.
53. The Integrated Transport Initiatives precincts have also been considered, with opportunities for coordination of the two programmes to maximise synergies and achieve the greatest impact via mass implementation where possible. We have therefore changed the priority of some safer speed areas due to their proximity to Integrated Transport precincts where it is considered desirable to include these sites earlier in the programme.
- 54. *Physical works***
55. The amount of physical works proposed for each area varies and is a balance between not doing enough and therefore not achieving the desired travel speeds versus doing too much and thereby not maximising the number of areas that can be implemented each year.
56. The impact of the revised roadmarking scheme is yet unknown, but roadmarking is considered to be a key component of the Safer Speed Areas branding – creating the link between education and marketing activities to the actual areas. The roadmarking also provides the reminder to those travelling within the areas that may not have recently entered into the area and therefore passed a 40km/h speed limit sign e.g. a resident heading for work in the morning.
57. It is therefore proposed to continue using the approach adopted for the demonstration project and undertake physical changes on the following basis:
- Installation of speed limit signage at the entrances to the areas with the style of signage chosen to reflect traffic volumes and/or travelling speeds on each road. Standard 40km/h roundel on low volume/travelling speed roads, and Safer Speed Area signage on higher volume/travelling speed roads
 - Roadmarking on key routes within the areas to act as reminders of the lowered speed limit
 - Threshold treatments only at the key entrances to the areas where there were high traffic volumes and/or speeds on those roads
 - Minor improvements for pedestrian accessibility within the area – including pedestrian refuge islands and/or platforms at key desired crossing points, splitter islands at intersections (may be part of the threshold treatment)
 - Intersection changes within the area only if needed to ‘break up’ a through route or rat run that has high traffic volumes or travelling speeds

58. An assessment for each area has been undertaken and a draft proposal of works developed. When determining the extent of works required, we have considered not only traffic speeds and volumes but also the needs of other road users including pedestrians, cyclists and passenger transport users.
59. Attachment 7 provides a diagram of the work considered necessary for the 'Wellington/Nixon' area. This reflects not only the work required for the Safer Speed Area, but also the Minor Works Programme. Coordination with the Integrated Transport Initiatives accessibility focused work for the Hamilton East precinct has resulted in the establishment of a road user hierarchy for the area – providing for cyclists in Cook St as a safer alternative to Clyde St, and retaining access along Wellington St to cater for buses.
60. The Safer Speed Areas programme for the next three financial years is listed in Attachment 8.
61. For those areas that have variable 40km/h school speed zones already in place, we will be working with the schools and removing the electronic hardware once we are happy that the permanent 40km/h Safer Speed Area is working and speeds are appropriate for the area. We have a large number of these electronic signs throughout the city, so we will keep a couple of signs for use as spares so that we are able to quickly replace any signs that are damaged via vandals or vehicles. We are hopeful of selling surplus signs to other councils and have already had a number of enquiries.
- 62. *Education and Marketing***
63. Education and marketing around the Safer Speed Areas concept and application is a key component to the successful delivery of this programme. Following on from the successful blueprint that was developed for the demonstration project utilising funding from the Road Safety Trust, we have begun planning for next year and have initial meetings with Bettle Advertising. It is intended to build upon the previous blueprint and the collateral materials that were developed and which we still have some stocks – including posters, newspaper advertising and the flyer.
64. The website will be updated to reflect the work that was completed in the demonstration project along with results of the monitoring that has been completed. It will also be used again as a contact point for anyone wanting to find out more about Safer Speed Areas and where they are being proposed and to register requests for consideration for inclusion in a Safer Speed Area. The final blueprint for activities will be decided once the areas and budget have been confirmed and opportunities for new and innovative approaches have been considered and priced.
65. It is felt that there is a need for a high level of investment in education and marketing at this early stage of implementation of the Safer Speed Areas programme, but that this will steadily decrease as the Safer Speed Area concept becomes more common and therefore understood and expected within Hamilton City by motorists.
- 66. *Public Transport Infrastructure (Shelters)***
67. The public transport infrastructure programme (primarily shelters and accessible access) has been prioritised based on the main bus routes within the Integrated Transport Initiatives prioritised precincts. This is to align with the best value approach across modes to support increased patronage on buses. It includes the following criteria in determination of priority:
- Proximity to vulnerable users such as elderly, blind and mobility impaired
 - Proximity to high school and tertiary students

- Areas of high exposure to the elements
- Needs within the community
- Low incomes
- Current passenger numbers at each stop
- Potential passenger numbers at each stop
- Key PT corridors

68. The programme has been reviewed and supported by the Public Transport Operations Manager of the Waikato Regional Council

69. The bus shelter and accessible kerb programme is listed in Attachment 9.

70. Legislative requirements or legal issues

71. The Local Government Act 1974 and Land Transport: Setting of Speed Limits Rule 2003 have requirements, including public consultation, which must be met in the delivery of these programmes.

72. Consultation

Each of the programmes will require some project specific stakeholder and public consultation to be completed as part of the design process in order to ensure that we achieve the best solutions. This will be carried out in an integrated manner. There will be an emphasis on the strategic purpose of the work so that we gain the maximum support for the behaviour changes needed to maximise the success. Winning the 'hearts and minds' is essential to achieve the culture change which will then lead to the improvement in sustainable travel choice decisions by the community.

73. The Safer Speed Areas will require additional consultation with key stakeholder and general public for the implementation of the permanent 40km/h speed limits which have to be set under the Speed Limit Bylaw.

74. The Speed Limit Bylaw 5 yearly review has just commenced and the Determination Report for this bylaw is included in the agenda for this committee. The speed limit changes required for the Safer Speed Areas will be included in the bylaw review process.

75. Financial and Resourcing Implications

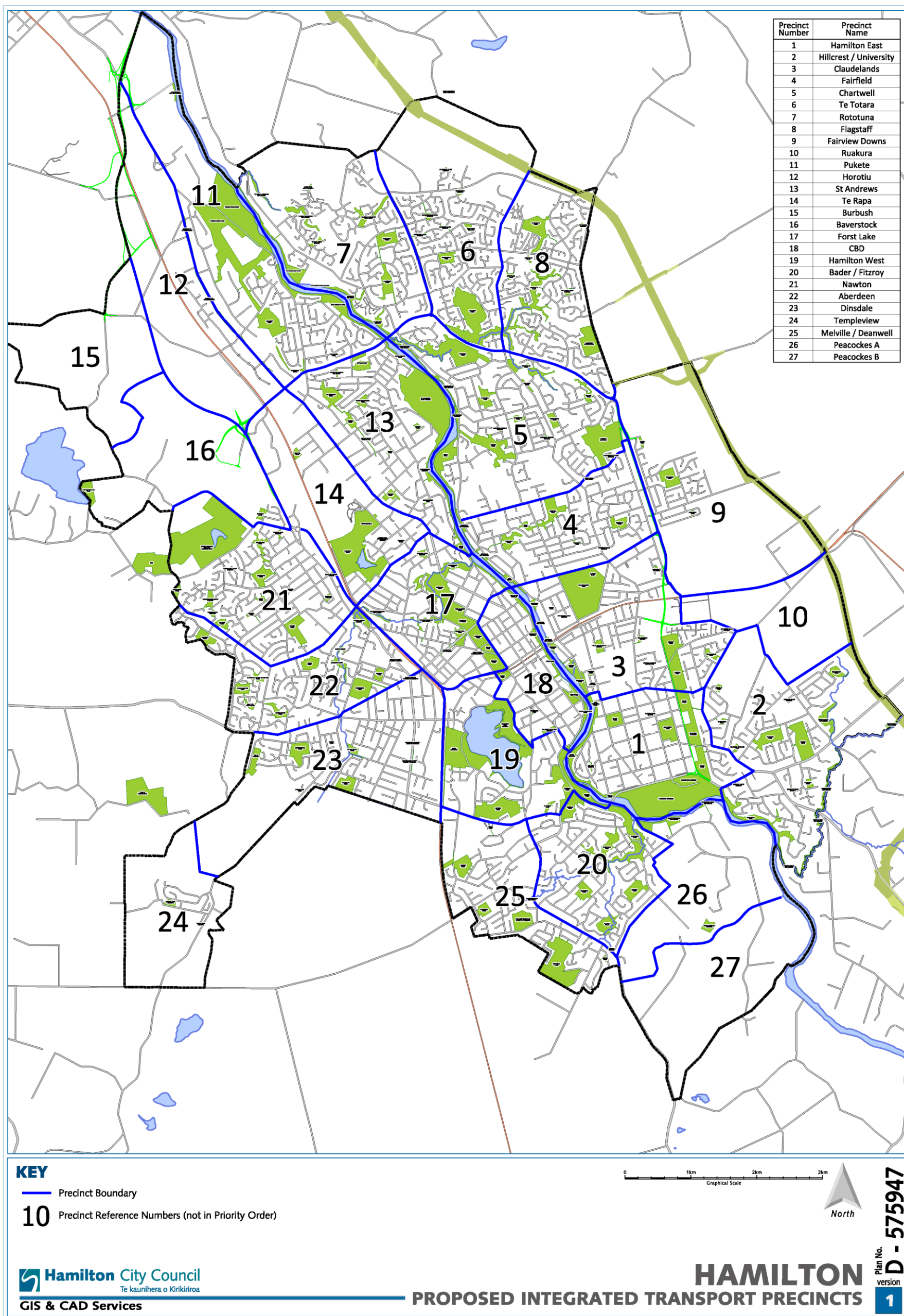
76. We are confident of securing NZ Transport Agency subsidy for our Minor Works, Safer Speeds Areas and Bus Infrastructure programmes and have been actively working with the agency to try and gain subsidy for the Integrated Transport Initiatives programme.

77. Risk

78. There is a risk that no additional funding from NZTA will be able to be secured to assist with the delivery of the Integrated Transport Initiatives programme.

Signatory

Authoriser	Chris Allen, General Manager City Infrastructure Group
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Priority Ordered Precincts - Integrated Transport Initiatives					
Precinct Number	Precinct Name	Precinct Priority	Accessibility	Schools	Current Status
1	Hamilton East	1	Poor	Hamilton East, Knighton, Marion, Sacred Heart	mix of very low income and mid to high incomes, bus delays common, safety, neighbourhood accessibility study recently completed, closely located to CBD = easy walking or cycling commute distance
18	CBD	2	Good, but with safety concerns	Girls High	Key shopping business and employment destination
19	Hamilton West	3	Poor, with safety concerns	Hamilton West	high safety concerns, includes hospital (high employment and visitor numbers)
25	Melville / Deanwell	4	Poor, with safety concerns	Melville Int & High, Deanwell	low socio-economic community, high need,
20	Bader / Fitzroy	5	Poor	Melville Pr, Glenview, St Plus	low socio-economic community, high need,
3	Claudlands	6	Poor	Peachgrove Int, Boys High	low socio-economic community, high likelihood of encouraging mode shift for work travel,
2	Hillcrest / University	7	Poor	Hillcrest, Silverdale, Berkley, St Johns	mix of low and high socio-economic community, high need
17	Forest Lake	8	Medium	Forest Lake	low socio-economic community, high need,
22	Aberdeen	9	Medium	Aberdeen, St Columbus, Frankton	low socio-economic community, high need,
21	Nawton	10	Poor	Nawton	low socio-economic community, high need,
23	Dinsdale	11	Medium	Dinsdale	low socio-economic community, high need,
24	Templeview	12	Poor accessibility to school and supermarket	Templeview	safety issues, value of completing this area increases as connections between CBD and Dinsdale are completed,
4	Fairfield	13	Poor accessibility with safety issues	Fairfield College, Woodstock, St Josephs, Southwell	value of completing this area increases as connections between CBD and Claudlands are completed,
9	Fairview Downs	14	Poor accessibility with safety issues	Enderly, Te Ara Rima	value of completing this area increases as connections between CBD and Claudlands, Fairfield are completed,
13	St Andrews	15	Good, but with safety concerns	St Andrews, Vardon, St Peter Chanel	some intersection safety issues, value of completing this area increases as connections between CBD and Forest Lake are completed
5	Chartwell	16	Good, but with safety concerns	Hukanui, Bankwood, St Pauls,	some intersection safety issues, value of completing this area increases as connections between CBD and Fairfield / Claudlands are completed,
11	Pukete	17	Medium	Te Rapa, Pukete	some intersection safety issues, lower need due to higher socio-economic area, value of completing this area increases as connections between CBD and Forest Lake are completed,
6	Te Totara	18	Medium	Te Totara, Hamilton Christian	some intersection safety issues, lower need due to higher socio-economic area, value of completing this area increases as connections between CBD and Chartwell are completed due to distance from employment,
7	Rototuna	19	Medium	Rototuna	some intersection safety issues, lower need due to higher socio-economic area, value of completing this area increases as connections between CBD and Chartwell are completed,
8	Flagstaff	20	Medium	Flagstaff????	some intersection safety issues, lower need due to higher socio-economic area, value of completing this area increases as connections between CBD and Chartwell are completed
14	Te Rapa	21	Good, but with safety concerns		Relatively good connectivity but with some intersection safety issues, value of completing this area increases as connections between CBD and Forest Lake are completed
10	Ruakura	22			Under development / structure plan – should be built to new standards
26	Peacockes A	23			Under development / structure plan – should be built to new standards
27	Peacockes B	24			Under development / structure plan – should be built to new standards
15	Burbush	25			Under development / structure plan – should be built to new standards
16	Baverstock	26			Under development / structure plan – should be built to new standards
12	Horotiu	27			Under development / structure plan – should be built to new standards

Integrated Transport Initiatives Programme 2012-15						
Walking						
Precinct	Location	Description	Estimate 2012/13	Estimate 2013/14	Estimate 2014/15	Future years / unfunded
19	Pembroke St intersection with Selwyn St	Adjust alignment, kerb cuts, longer ped signal phase, install arrow for right turns into Selwyn, ban right turn at Tidd St	\$ 20,000			
18	CBD	Kerb cut-down improvements - various intersections. Improvements for accessibility.	\$ 25,000			
1	Grey St: Naylor St to Brookfield St	Refuge islands, kerb build-outs	\$ 25,000			
1	Hamilton East	Kerb cut-down improvements - various intersections. Improvements for accessibility.	\$ 30,000			\$ 20,000
3	Boundry Rd near Migrant Resource Centre	Signalised pedestrian mid-block crossing	\$ 100,000			
1	Naylor St near Fox St	Signalised Ped crossing, kerb cut downs - schools/preschools usage. Naylor St presents significant barrier to walking to school/preschool.		\$ 100,000		
19	Pembroke St @ Ruakiwi Rd	Signalised mid block ped crossing. Improved access across Pembroke Street, improving access between Hamilton Lake, Waikato Hospital and the CBD			\$ 100,000	
	TOTAL		\$ 200,000	\$ 100,000	\$ 100,000	\$ 20,000
23	Rhode St near Campbell St	Courtesy crossing for school				\$ 12,500
5	Wake St intersection with Devere Cres	Kerb build out or raised crossing to improve access				\$ 12,500
2	Barrie Cres	Refuge crossing to improve access to schools and university.				\$ 12,500
4	Dalethorpe Ave: Strowan Ave to Woodstock Rd	Refuge island and kerb buildouts. Improves access to schools and facilities.				\$ 12,500
21	Grandview Rd near Holmes St	Refuge island and kerb build outs				\$ 12,500
4	Fairfield Rd @ Haultain Rd	Refuge island and kerb build outs to improve access to schools and facilities.				\$ 12,500
3	Peachgrove Rd @ Insoll Ave	Refuge island and kerb build outs. Safety for access to schools.				\$ 12,500
11	Sherwood Dr @ Pukete Rd	Refuge island to improve access to schools and facilities.				\$ 12,500
21	Livingston Ave	Kerb buildouts @ existing ped crossing, cycle protection at yellow no parking lines				\$ 15,000

Integrated Transport Initiatives Programme 2012-15						
Walking						
Precinct	Location	Description	Estimate 2012/13	Estimate 2013/14	Estimate 2014/15	Future years / unfunded
18	CBD to Claudelands	Wayfinding signage. Improve access between CBD and Claudelands				\$ 15,000
19	Hammond St @ Park Tce	Mini roundabout				\$ 25,000
22	Courtney Ave @ Aberdeen Dr	Refuge island and kerb buildouts				\$ 25,000
17	Storey Ave near Garnett Ave	Refuge island and kerb build outs. Safety for access to schools and facilities.				\$ 25,000
1	West side of Grey St between Cook and Bridge St	Footpath upgrade/smoothing, crossfall correction, kerb cutdown replacement				\$ 30,000
19	Palmerston St	Install refuge island, kerb build out, accessible kerbs. Improves access between Hamilton West, Hamilton Lake and CBD				\$ 35,000
19	Pembroke St near YMCA	Refuge island and kerb buildouts. Improves access for facilities on Pembroke St and commuting to work in CBD.				\$ 35,000
4	Collins Rd between Deanwell Ave and Catalina Pl	Kerb buildouts / chicane. Improve environment for walking.				\$ 50,000
19	Ohaupo Rd and Lake Cres, Gower park	Kerb cuts on Ohaupo Rd and lake Cres, new shared path at Gower park				\$ 50,000
4	Farfield Bridge intersection with River Rd	Pedestrian improvements to improve access for all between Fairfield and Maeroa/CBD				\$ 50,000
7	Hukanui Rd / Thomas Rd roundabout	Raised crossings on all legs to reduce speed environment, resulting in safer and improved access for all.				\$ 50,000
19	Seddon Rd @ Railway walkway	refuge island, greening & kerb cuts. Improve walkway to Lake Cres.				\$ 50,000
18	Victoria St @ Bridge St	Pedestrian access and safety improvements at intersection				\$ 50,000
18	Anglesea / Thakeray / Hood intersection	Pedestrian access and safety improvements at intersection				\$ 50,000
19	Mill St / Tristram intersection	Pedestrian access and safety improvements at intersection				\$ 50,000
18	Mill St / Willoughby intersection	Pedestrian access and safety improvements at intersection				\$ 50,000

Integrated Transport Initiatives Programme 2012-15						
Walking						
Precinct	Location	Description	Estimate 2012/13	Estimate 2013/14	Estimate 2014/15	Future years / unfunded
3	Te Aroha St / Grey St Roundabout	Raised crossings on each roundabout approach, particularly for access to schools.				\$ 75,000
5	Sexton Rd, Haswell Cres access to Rotorua School	Path across gully to connect to school				\$ 100,000
4	Clarkin Rd near St Joseph's School	Signalise existing pedestrian crossing				\$ 100,000
4	Fifth Ave outside Te Ara Rima school	Signalise existing pedestrian crossing				\$ 100,000
3	All five approaches to the Five Crossroads roundabout	Raised platforms on all approaches to Five Cross Roads, single lane the roundabout. Slower speed environment improves access and safety for all road users.				\$ 250,000
ALL	city wide - accessibility improvements	Kerb cut-down improvements - various intersections. Improvements for accessibility.				\$ 800,000
	TOTAL		\$ -	\$ -	\$ -	\$ 2,180,000
18	Ward / Anglesea intersection	Install Barnes dance or similar alternative-high quality option				\$ 150,000
18	Mill St, Norton Rd, CBD	V8 reinstatement work - various locations				\$ 600,000
18	River path – Bryce St Slip	Bring path up to road to bypass slip or alternatively, better signage at all exits about detours				\$ 250,000
	TOTAL		\$ -	\$ -	\$ -	\$ 1,000,000

Integrated Transport Initiatives Programme 2012-15						
Cycling						
Precinct	Location	Description	Estimate 2012/13	Estimate 2013/14	Estimate 2014/15	Future years / unfunded
1	Knighton Rd @ Greensboro Rd	Kerb-segregated left turn cycle lane. Provides safety and in turn priority for cyclists. Highlights the potential for cyclist presence to all road users.	\$ 5,000			
1	Galloway St @ Clyde St	Kerb-segregated left turn cycle lane. Provides safety and in turn priority for cyclists. Highlights the potential for cyclist presence to all road users.	\$ 5,000			
1	Galloway St @ Cook St	Kerb-segregated left turn cycle lane. Provides safety and in turn priority for cyclists. Highlights the potential for cyclist presence to all road users.	\$ 5,000			
1	Grey St @ Cook St	Kerb-segregated left turn cycle lane. Provides safety and in turn priority for cyclists. Highlights the potential for cyclist presence to all road users.	\$ 5,000			
1	Galloway St @ Albert St	Kerb-segregated left turn cycle lane. Provides safety and in turn priority for cyclists. Highlights the potential for cyclist presence to all road users.	\$ 5,000			
1	Galloway St @ Naylor St	Kerb-segregated left turn cycle lane. Provides safety and in turn priority for cyclists. Highlights the potential for cyclist presence to all road users.	\$ 10,000			
1	Hamilton East	Wayfinding Signage	\$ 10,000			
1	Galloway St @ Albert St	Intersection narrowing and median island	\$ 25,000			
1	Grey St @ Brookfield St	Intersection narrowing and median island	\$ 25,000			
1	Cook St: Firth St to Grey St	Contra-flow cycle lane behind parking or along Steele Park, install cycle counter	\$ 30,000			
1	Segregated cycle lanes on Bridge: Victoria St to Memorial Dr	Kerb-segregated cycle lane. Provides safety and in turn priority for cyclists. Highlights the potential for cyclist presence to all road users.	\$ 50,000			
1	Grey St near Albert St	Cycle priority signals, suitable for ped/cyclist use	\$ 50,000			
1	Grey St: Wellington St to Cobham Dr	Kerb-segregated cycle lane. Provides safety and in turn priority for cyclists. Highlights the potential for cyclist presence to all road users. (refer to photo in report)	\$ 75,000			
18	Anglesea St: Clarence St to Hood St	On-road cycle lanes and median crossing		\$ 25,000		
1	Galloway St @ Naylor St	Cyclist priority at existing signals, greening		\$ 25,000		
18	Tristram St/Collingwood St Roundabout	Off-road roundabout kerb cuts and refuge places		\$ 25,000		

Integrated Transport Initiatives Programme 2012-15						
Cycling						
Precinct	Location	Description	Estimate 2012/13	Estimate 2013/14	Estimate 2014/15	Future years / unfunded
18	Tristram St/Pembroke St Roundabout	off-road round kerb cuts and refuge places		\$ 30,000		
2	Masters Ave: Cambridge Rd to Silverdale Rd	On-road cycle lane, install cycle counter, install pedestrian refuge island		\$ 60,000		
18	Clarence St: Pembroke St to Angelsea St	Median crossings at Pembroke and Tristram, on-road cycle lanes on Clarence St		\$ 60,000		
1	Galloway St: Cobham Dr to Clyde St	Segregated cycle lanes, install cycle counter. Width of Galloway St allows two-way segregated cycle lane on western (northbound) side. Will be cycle-priority route when Hamilton Ring Road is complete. (refer to photo)		\$ 75,000		
3	Wilson St @ Peachgrove Rd	Kerb-segregated left turn cycle lane. Provides safety and in turn priority for cyclists. Highlights the potential for cyclist presence to all road users.			\$ 5,000	
3	Boundary Road from 5 Cross Roads to Victoria St	Cycle lanes segregated with blocks, removal of parking, intersection treatments			\$ 10,000	\$ 200,000
1	Knighton Rd @ Cambridge Rd	Kerb-segregated left turn cycle lane. Provides safety and in turn priority for cyclists. Highlights the potential for cyclist presence to all road users.			\$ 10,000	
18	Tristram St @ Hill St	Cycle cut downs and greening + signage			\$ 10,000	
2	Hillcrest / University	Wayfinding Signage			\$ 10,000	
4	Collins Rd near Ohaupo Rd	Segregation kerbs for cyclists protection			\$ 15,000	
4	River Rd near Clarkin Rd	Segregation kerbs for cyclists protection			\$ 15,000	
19	Hamilton West	Wayfinding Signage			\$ 15,000	
1	Peachgrove Rd @ Clyde St	Cyclist priority at existing signals, greening			\$ 25,000	
18	Ward St: Angelsea St to Seddon Rd	Widen footpath to shared path, install cycle counter			\$ 25,000	
18	Seddon Rd: Marama St to Norton Rd	on road cycle lanes with median crossing at Marama st			\$ 35,000	
18	Ward St: Tristram St to Angelsea St	Kerb-segregated left turn cycle lane. Provides safety and in turn priority for cyclists. Highlights the potential for cyclist presence to all road users.			\$ 50,000	
2	Hillcrest Rd: Cambridge Rd to Silverdale Rd	Kerb-segregated left turn cycle lane. Provides safety and in turn priority for cyclists. Highlights the potential for cyclist presence to all road users.			\$ 75,000	
TOTAL			\$ 300,000	\$ 300,000	\$ 300,000	\$ 200,000

Integrated Transport Initiatives Programme 2012-15						
Cycling						
Precinct	Location	Description	Estimate 2012/13	Estimate 2013/14	Estimate 2014/15	Future years / unfunded
18	Liverpool St	On-road cycle lanes and removal of centre line, install cycle counter				\$ 7,000
18	Victoria St: Ward St to Bryce St	Signage and bylaw, kerb cut connections				\$ 10,000
19	Hibiscus Ave	On-road cycle lanes - remove centre line, install cycle counter				\$ 15,000
1	Parana Park to Memorial Dr	Examination of the gradient of the existing link. Kerb cut down, and greening to encourage cyclists to use the off road facility				\$ 25,000
1	Galloway Park	Off-road cycle path connecting Albert and Dey and Galloway Sts. Part of east/west route				\$ 25,000
18	Victoria St @ Claudelands Bridge	Cycle lanes and crossing points, greening, kerb cuts				\$ 25,000
18	Anglesea St: Ward St to Hood St (East side (southbound) only)	Signage, greening, kerb cuts, install cycle counter				\$ 30,000
19	Hibiscus Ave @ Alison St	Install mini-roundabout with cyclist cut through				\$ 40,000
19	Lake Cres @ Alison St	Install mini-roundabout with cyclist cut through				\$ 40,000
19	Lake Cres @ Hibiscus Ave	Install mini-roundabout with cyclist cut through				\$ 40,000
19	Lake Rd: Ruakiwi Rd to Franton Railbridge	Footpath widen to declared shared - signage and bylaw, kerb cuts and greening. Upgrade fence at walkway, cycle protection (free left) at Lake / Queen intersection. Cycle refuge island at Marama St and Queen St				\$ 40,000
5	Commries Rd between Bankwood Rd and River Rd	Kerb-segregated left turn cycle lane. Provides safety and in turn priority for cyclists. Highlights the potential for cyclist presence to all road users.				\$ 50,000
19	Pembroke St from Ruakiwi, connect to south side Palmerston St to Anglesea St	Widen footpath, kerb cuts, smooth out lip on bridge footpath, install railing on bridge				\$ 50,000
5	Crosby Road - Tramway Rd to Hukanui Rd	Kerb-segregated left turn cycle lane. Provides safety and in turn priority for cyclists. Highlights the potential for cyclist presence to all road users.				\$ 50,000
18	Bridge St, Victoria St to Anglesea St	Cycle priority, right turn from Bridge to Victoria. Kerb-segregated on-road cycle lane, Bridge Street, Victoria St to Anglesea St				\$ 50,000

Integrated Transport Initiatives Programme 2012-15						
Cycling						
Precinct	Location	Description	Estimate 2012/13	Estimate 2013/14	Estimate 2014/15	Future years / unfunded
18	Norton Rd Roundabout	Kerb-segregated left turn cycle lane. Provides safety and in turn priority for cyclists. Highlights the potential for cyclist presence to all road users.				\$ 50,000
4	Clarkin Rd	Segregation kerbs for cyclists protection				\$ 50,000
18	Grantham St	Kerb-segregated left turn cycle lane. Provides safety and in turn priority for cyclists. Highlights the potential for cyclist presence to all road users.				\$ 50,000
19	Lake Domain Dr to Franton Rail crossing on Killarney Rd	Widen footpath to shared path				\$ 50,000
19	Lake Cres from Hibiscus Ave to Pembroke St	Narrow road, widen footpath, kerb cut and greening to connect from Ohaupo Rd and reconnect at Pembroke St to on-road cycle lane				\$ 50,000
18	Norton Rd Roundabout	Refuge cuts at island separators on all legs, shared paths through the roundabout for direct access, greening				\$ 50,000
11	Rotokauri Rd - Baverstock to Avalon	Kerb-segregated left turn cycle lane. Provides safety and in turn priority for cyclists. Highlights the potential for cyclist presence to all road users.				\$ 50,000
15	Sandwich Road between Braid Rd to Pukete Rd	Kerb-segregated left turn cycle lane. Provides safety and in turn priority for cyclists. Highlights the potential for cyclist presence to all road users.				\$ 50,000
18	Tristram St: Pembroke St to Ward St	Widen footpath to shared path or on-road kerb-segregated cycle lanes: key connection for CBD commuters and through-commuters				\$ 50,000
18	Mill St: Seddon Rd to Ulster St	Install cycle counter, off-road cycle path				\$ 100,000
4 & 5	Peachgrove Road - Davies Corner, through 5 Cross Roads to Te Aroha Street.	Cycling links: shared paths and on-road cycle lanes				\$ 100,000
18	Norton Rd: Avalon Dr to Tristram St	Widen footpath				\$ 100,000
18	Seddon Rd: Marama St to Norton Rd	Widen footpath, install cycle counter				\$ 100,000
19	Lake Domain Dr - Innes Common from Rotorua Dr	Dual-direction cycle path, connection to Killarney Rd				\$ 150,000

Integrated Transport Initiatives Programme 2012-15						
Cycling						
Precinct	Location	Description	Estimate 2012/13	Estimate 2013/14	Estimate 2014/15	Future years / unfunded
19	Ruakiwi Road from Pembroke St to Lake Rd and to Rotorua Dr. Lake Rd from Pembroke St to Somerset St	Widen footpath to become shared path, kerbs cuts, greening, and connections from Clarence and Thackery Sts, refuge across Lake Domain Dr, install cycle counter				\$ 150,000
20	city wide - wayfinding signage	Wayfinding Signage - remaining precincts				\$ 300,000
18	Intersection of Victoria St and Ulster St	Intersection redevelopment to cycle friendly layout; incl investigation				\$ 300,000
1	Cobham Dr: right turn into Grey St	ban right turn into Grey St				NZTA
	TOTAL		\$ -	\$ -	\$ -	\$ 2,247,000

Integrated Transport Initiatives Programme 2012-15						
Public Transport						
Precinct	Location	Description	Estimate 2012/13	Estimate 2013/14	Estimate 2014/15	Future years / unfunded
4	Intersection of Lynden Ct with Hukanui Rd	signage - ban right turn out of Lynden crt	\$ 500			
18	Bryce St, Transport Centre to Victoria St	Bus lane - clearway extend hours 7am-7pm	\$ 1,000			
18	Anglesea St, Hood St to Bridge St	Bus lane extension.	\$ 5,000			
18	Bridge St: Anglesea to Victoria	Increase bus lane peak hour clearway to 7am-7pm	\$ 5,000			
All	City-wide: Education	Education campaign	\$ 10,000	\$ 10,000	\$ 10,000	\$ 70,000
4	River Rd right turn onto Fairfield Bridge	Signage and roadmarking - right turn from left lane	\$ 10,000			
18	Bryce St, Transport Centre to Victoria St	Bus lane, greening	\$ 10,000			
18	Ulster and Victoria Sts between Mill and Liverpool	Move bus stops to Victoria St to between Liverpool and Rostrevor	\$ 10,000			
17	Victoria St at Fairfield Bridge	Allow right turns from left lane, signage and roadmarking, education	\$ 15,000			
18	Intersection of Anglesea and Bridge Sts	Bus lane connection through roundabout	\$ 15,000			
All	City-wide: Strategy	T3 / bus lane strategy development	\$ 20,000			
5	Intersection of Lynden Ct with Hukanui Rd	shift median island Lynden Ct into Hukanui Rd		\$ 10,000		
18	Intersection of Anglesea and Bridge Sts	Install B light at Victoria St lights		\$ 15,000		
18	Hood St / Anglesea St Intersection(Anglesea St sth bound)	Bus lane, right turn from left lane, signage		\$ 15,000		
All	City-wide: Planning	bus lane design work		\$ 20,000	\$ 20,000	\$ 20,000
1	Grey St, Cook St to Clyde St	Bus boarders (2)		\$ 20,000		
16	Braid Rd, Taylor Tce to Sandwich Rd	Bus boarders (2)		\$ 20,000		
4	Peachgrove Rd @ Holland	Mini-roundabouts, Bus priority measures out of side streets		\$ 25,000		
5	Peachgrove Rd @ Tongariro	Mini-roundabouts, Bus priority measures out of side streets		\$ 25,000		
19	Pembroke St, Palmerston St to Selwyn St	Bus boarders (3)		\$ 30,000		
1	Grey St, Beale St to Bridge St	Bus priority from left lane to turn right, roadmarking			\$ 10,000	
17	Fairfield Bridge, Edgecumbe St to Fairfield Bridge	signal B light			\$ 15,000	
16	Vercoe Rd	Bus boarders (2)			\$ 20,000	

Precinct	Location	Description	Estimate 2012/13	Estimate 2013/14	Estimate 2014/15	Future years / unfunded
3	Peachgrove Rd @ Wilson	Mini-roundabouts, Bus priority measures out of side streets			\$ 25,000	
4	Peachgrove Rd @ Marden	Mini-roundabouts, Bus priority measures out of side streets			\$ 25,000	
4	Peachgrove Rd @ Enderly	Mini-roundabouts, Bus priority measures out of side streets			\$ 25,000	
18	Hood St / Anglesea St Intersection(Anglesea St sth bound)	signal B light			\$ 35,000	
5	Intersection of Lynden Ct with Hukanui Rd	Signal pre-emption / dection loop at bus stop to activate ped signals and allow bus movement into live lane			\$ 50,000	
4	Heaphy Tce, Clarkin Rd to Claudelands Bridge	High Occupancy / Bus lane, Tidal Flow - overhead tidal flow lights			\$ 75,000	
TOTAL			\$ 101,500	\$ 190,000	\$ 235,000	\$ 90,000
21	Ellicot Rd	Turn cycle lane clearway into bus clear way				\$ 10,000
19	Ohaupo Rd into and out of Hospital precinct	On-road bus lane markings, Making drivers aware for bus movements				\$ 20,000
4	Peachgrove Rd @ Claude	Mini-roundabouts, Bus priority measures out of side streets				\$ 25,000
19	Intersection of Pembroke St with Selwyn St	Signal pre-emption, Hospital Bus pre-emption				\$ 25,000
4	Five Cross Rds	Mountable collar				\$ 40,000
1	Grey St, Te Aroha to Bridge Street	Bus priority lane /High occupancy lanes				\$ 50,000
4	Peachgrove Rd, Snell Drive to Five Cross Rd	Bus lane				\$ 50,000
18	Victoria St, Les Mills Bus Stop to Mill St	Angle parking, bus lanes				\$ 50,000
4	River Rd from Waikato Diocesan School (Chartwell Crescent) to Fairfield Rd	High Occupancy / Bus lane				\$ 75,000
1	Clyde St, Peachgrove road to Cameron Rd	Bus priority lane /High occupancy lanes				\$ 100,000
4	Peachgrove Rd, Five Cross Rds to Wilson St	Bus lane				\$ 100,000
17	Victoria St, Edgecumbe St to Fairfield Bridge	Bus lane				\$ 100,000
15,16	Te Rapa Rd, Ulster St to Pukete Rd	High Occupancy / Bus lane				\$ 100,000
1	Cobham Drive, Galloway St to Morrinsville Rd	Bus lane / T3 lane				\$ 150,000
19	Pembroke St, Palmerston St to Selwyn St	Bus lane				\$ 150,000
23	Cambridge Rd, Airport Rd to Morrinsville Rd	Bus lane				\$ 150,000

Precinct	Location	Description	Estimate 2012/13	Estimate 2013/14	Estimate 2014/15	Future years / unfunded
3	Boundary Rd, Mill St to Heaphy Tce	High Occupancy / Bus lane, Tidal Flow - overhead tidal flow lights				\$ 250,000
TOTAL			\$ -	\$ -	\$ -	\$ 1,445,000
			\$ 100,000	\$ 200,000	\$ 300,000	

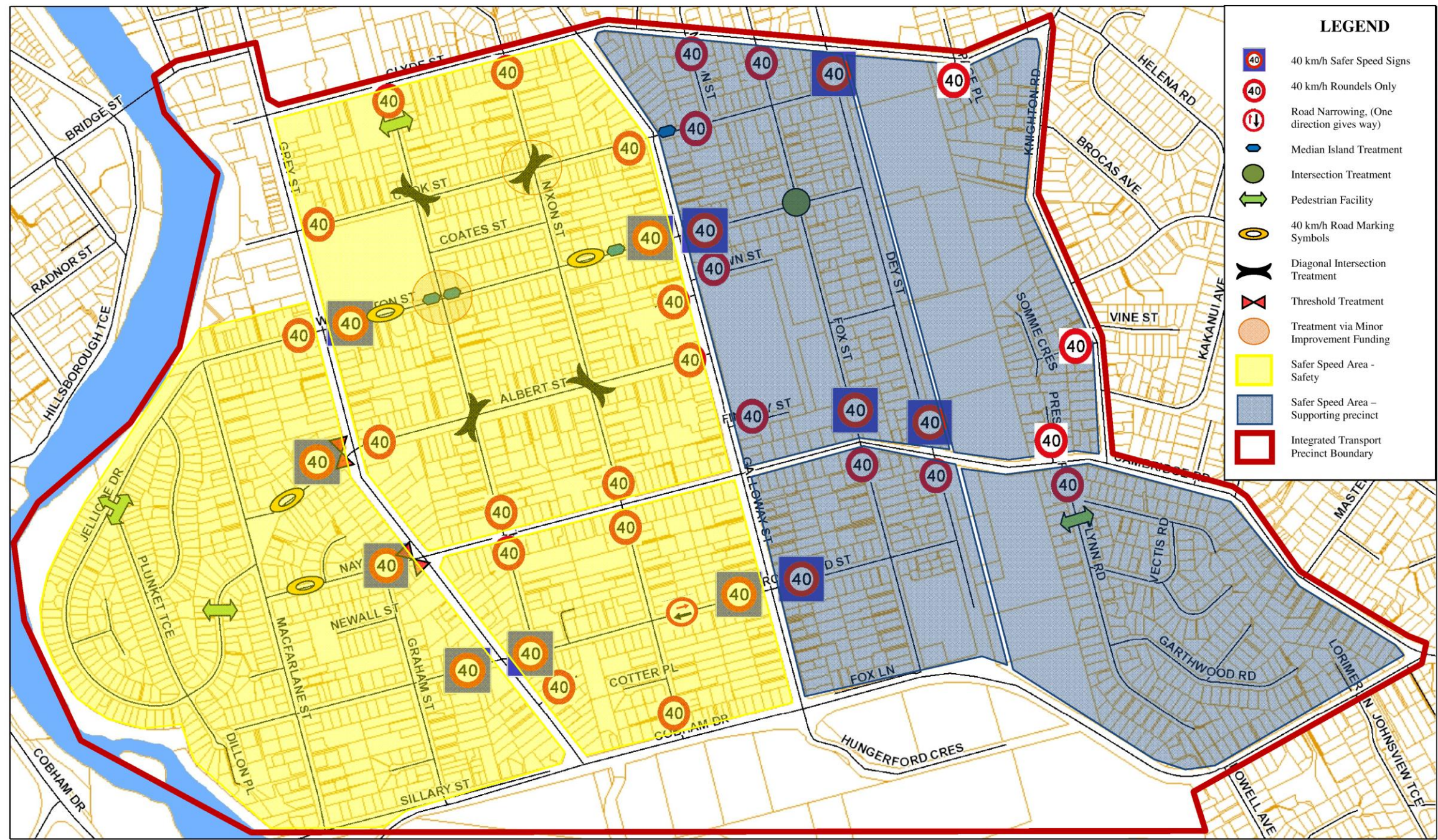
Minor Works Programme 2012 - 15

Precinct	Location	Description	2012/13 Estimate	2013/14 Estimate	2014/15 Estimate	Unfunded 2015+
1	Firth St/ Wellington Street Intersection	Crash location within a Safer Speed Area	\$25,000			
1	Nixon St/Cook St Intersection	Crash location within a Safer Speed Area	\$25,000			
3	Ruakura Road, near Ruakura lane (Innovation Park).	Installation of pedestrian refuge. Innovation Park contributing funding toward extending the footpath to meet this refuge.	\$20,000			
3	Heaphy to Bridge - Between Heaphy Tce and the River	Installation of signalised pedestrian crossing	\$95,000			
18	Victoria St between Liverpool and Boundary Road	Installation of pedestrian refuge island between Boundary Rd and Liverpool Street, and installation of ped cutdowns in existing central median between London and Bryce	\$95,000			
18	Ulster Street between Liverpool and Mill St	Installation of pedestrian refuge island	\$95,000			
19	Lake Rd/Queens Ave Roundabout	Install roundabout	\$195,000			
1	Bridge St/Memorial Drive Intersection	Reduce right turn movements/Improve pedestrian crossing opportunities		\$48,000		
2	Hillcrest Road outside # 90	Installation of a pedestrian refuge island		\$15,000		
3	Boundary Rd / Oakley Ave intersection	Installation of a throat island		\$10,000		
4	McNicol at Clarkin Rd	Installation of throat island		\$10,000		
4	Near Riverview Tce	Installation of a pedestrian refuge island		\$30,000		
4	Bankwood Rd and Comries Rd intersection	Upgrade of the intersection to address safety concerns		\$148,000		
12	Rifle Range Road outside Swarbrick Park	Installation of a pedestrian refuge island		\$30,000		
15	Sandwich Road west of Totara Dr	Installation of a pedestrian refuge island		\$30,000		
16	Forest Lake road between Rata and Hinau St	Installation of a pedestrian refuge island		\$30,000		
18	Bridge St/Victoria St intersection	Square up left turn slip lane angle of approach onto Bridge St to improve visibility for turning vehicles enabling them to pick safe gaps in the traffic flows		\$195,000		
20	Glenview Tce at Tomin Rd	Installation of throat island		\$10,000		
1	Clyde St / Knighton Rd intersection	Redesigned roundabout to incorporate Cameron Road, include off road cycle facilities			\$250,000	
3	Heaphy Tce between Brooklyn Road and Boundary Road	Installation of two pedestrian refuge islands to cater for increasing pedestrians moving across Heaphy Tce to the Claudelands event centre			\$40,000	
14	Saxbys Rd/McDonald St intersection	Installation of a roundabout and splitter islands with pedestrian facilities			\$100,000	
18	Anglesea St / London St intersection	Traffic signal improvements for overhead aspects			\$150,000	
19	Selwyn St and Horne Street intersection	Installation of pedestrian refuge island			\$21,000	
2	Masters Ave at the intersection of Mansel Ave	Installation of a throat island				\$25,000
2	Silverdale Road outside #120	Signalisation of existing pedestrian crossing				\$120,000

Minor Works Programme 2012 - 15

Precinct	Location	Description	2012/13 Estimate	2013/14 Estimate	2014/15 Estimate	Unfunded 2015+
3	Te Aroha Street / River Road intersection	Change priority control at the intersection following the Give Way rule change.				\$70,000
3	River Rd / Riro St intersection	Install right turn bay				\$100,000
4	Bankwood Rd/Clarkin Rd/Heaphy Tce intersections	Install Roundabouts/Traffic signals				\$250,000
6	Gordonton Rd/ Thomas Rd intersection	Widen left slip lane for Gordonton Rd traffic into Thomas				\$100,000
11	Grandview Rd at Nawton School	Signalisation of existing pedestrian crossing				\$100,000
12	Rifle Range Road / SH 23 (Massey St) Intersection	Reshape the existing traffic island and change lane				\$75,000
15	Te Rapa Road / Pukete Rd intersection	Widen median to allow a full wifth right turn bay into Shell/McDonalds				\$100,000
16	Te Rapa Road, between Garrick Pl and Dalglish Ave	Install median island				\$40,000
17	Maeroa Road outside #181	Signalisation of existing pedestrian crossing				\$120,000
17	King St / Empire St intersection	Install throat islands				\$40,000
18	Tristram St/Rostrevor St Intersection	Replace roundabout with traffic signals				\$175,000
19	Pembroke Road / Ruakiwi Road Intersection	Install kerb extension to narrow the left turn in lane. Narrowing of intersection following the Give Way rule change in March, increased safety for pedestrians and cyclists across Ruakiwi Road.				\$30,000
Totals			\$550,000	\$556,000	\$561,000	\$1,345,000

Figure 1: Safer Speed Areas in Integrated Transport Precinct 1



Safer Speed Areas Programme 2012 - 15

Precinct	Location	Description	2012/13 Estimate	2013/14 Estimate	2014/15 Estimate	Unfunded 2015+
1	Wellington/Nixon Safer Speed Area 31	Traffic calming engineering features (central islands/chicanes) to slow traffic to 40 km/h in the residential streets within the Safer Speed Area	\$532,224			
1	MacFarlane St Safer Speed Area 32					
1	Brookfield/Nixon Safer Speed Area 30					
1	Fox St Safer Speed Area 29					
1	Fox Ln Safer Speed Area 28					
1	Flynn Rd Safer Speed Area 27					
1	Somme Cres Safer Speed Area 21					
4	Bettina Road Safer Speed Area 88					
5	Bellmont Ave Safer Speed Area 81					
5	Donny Ave Safer Speed Area 80					
6	Colleraine Dr Safer Speed Area 5					
7	Commodore Ave Safer Speed Area 76					
12	Aberdeen Dr Safer Speed Area 48					
13	Shelley Jane Pl Safer Speed Area 42					
15	Cherrywood St Safer Speed Area 67					
15	Morrow Ave Safer Speed Area 66					
15	Cattanach St Safer Speed Area 65					
20	Beatty St Safer Speed Area 35					
2	Edinburgh Road Safer Speed Area 20	Traffic calming engineering features (central islands/chicanes) to slow traffic to 40 km/h in the residential streets within the Safer Speed Area		\$532,224		
2	Aurora Tce Safer Speed Area 22					
2	Nevada Road Safer Speed Area 23					
2	Berkley Ave Safer Speed Area 25					
2	Morris Rd Safer Speed Area 24					
3	Cameron Road Safer Speed Area 19					
3	Argyle St Safer Speed Area 17					
3	Wilson St Safer Speed Area 18					
8	Tupelo St Safer Speed Area 71					
14	Mahoe St Safer Speed Area 38					
16	Garnett Ave Safer Speed Area 55					
16	Tui Ave Safer Speed Area 54					
18	Hill St Safer Speed Area 46					

Safer Speed Areas Programme 2012 - 15

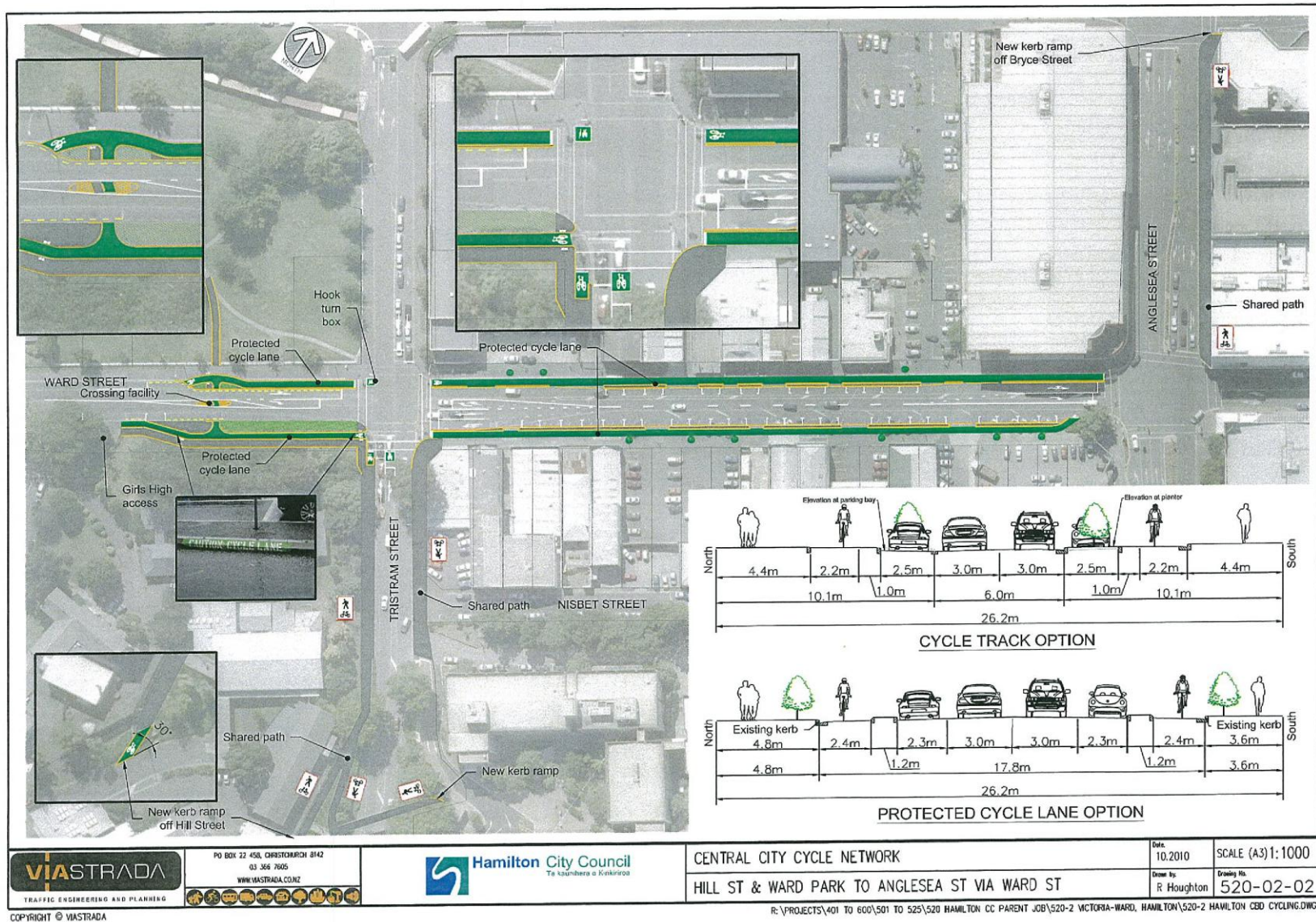
Precinct	Location	Description	2012/13 Estimate	2013/14 Estimate	2014/15 Estimate	Unfunded 2015+
3	Enderley Ave Safer Speed Area 14	Traffic calming engineering features (central islands/chicanes) to slow traffic to 40 km/h in the residential streets within the Safer Speed Area			\$532,224	
4	Holland Road Safer Speed Area 15					
4	Mardon/Insoll Safer Speed Area 13					
4	Tranmere Road Safer Speed Area 86					
5	Glenn Lynne Ave Safer Speed Area 79					
11	Dominion Road Safer Speed Area 51					
11	Hyde Ave Safer Speed Area 50					
17	Churchill Ave Safer Speed Area 57					
19	Queens Ave Safer Speed Area 45					
19	Alison St Safer Speed Area 40					
Totals			\$532,224	\$532,224	\$532,224	\$0

Bus Infrastructure (shelters and accessible kerbs) Programme 2012-15						
Precinct	Location	Description	Estimate 2012/13	Estimate 2013/14	Estimate 2014/15	Future years / unfunded
1	19 wellington Street -to town	relocate stop 10m west, roadmarking	\$ 500			
1	124 Grey Street	Accessible Kerb	\$ 5,000			
1	271 Clyde Street	Accessible kerb	\$ 5,000			
1	291 Grey Street	Accessible kerb	\$ 5,000			
1	526 Grey Street	Accessible kerb	\$ 5,000			
1	Grey St (steele Park)	Accessible kerb	\$ 5,000			
1	123 Grey Street	Road marking, Accessible kerb	\$ 6,000			
1	18 Wellington Street - to the university	relocate stop 10m west, roadmarking, small shelter	\$ 9,000			
1	opp 38 Wellington Street	small shelter, concrete waiting area	\$ 9,500			
2	Silverdale School	Accessible Kerb	\$ 10,000			
1	86 Wellington	Accessible Kerb, small shelter	\$ 15,000			
1	525 Grey Street	Accessible kerb and small shelter	\$ 16,000			
1	401 Grey Street	protective 'wind' barrier, Bus Boarder & Accessible kerb	\$ 19,000			
1	446 Grey Street	protective 'wind' barrier, Bus Boarder & Accessible kerb	\$ 19,000			
1	38 Wellington Street	small Shelter, Bus Boarder & Accessible kerb	\$ 23,000			
1	All Stops	Concrete access ways, Roadmarking & signage	\$ 50,000			
18	Courthouse bus stop	accessible kerb		\$ 5,000		
1	274 Clyde Street	Accessible kerb		\$ 6,000		
1	44 MacFarlane	Accessible kerb, concrete waiting area		\$ 6,000		
1	47 MacFarlane	Accessible kerb		\$ 6,000		
18	58 Anglesea st	Large shelter		\$ 10,000		
3	Claudlands Event centre - Heaphy Terrace (outbound)	Bus Shelter and Accessible kerbs		\$ 12,000		
18	Les Mills Stop	protective 'wind' barrier, Bus Boarder & Accessible kerb		\$ 15,000		
1	35 Jellicoe Drive	small Shelter, Bus Boarder & Accessible kerb		\$ 20,000		
1	5 Jellicoe Drive	Seat under verandah, bus boarder, accessible kerb		\$ 20,500		
1	55 Wellington Street	small Shelter, Bus Boarder & Accessible kerb		\$ 25,000		

3	Claudlands Event Centre - Heaphy Terrace (inbound)	Bus Shelter and Accessible kerbs, Extensive work needed for accessible kerb		\$ 25,000		
18	All Stops	Concrete access ways, Roadmarking & signage		\$ 50,000		
6	452 Horsham Downs(opp Countdown)	Accessible Kerb			\$ 5,000	
6	452 Horsham Downs(o/s Countdown)	Accessible Kerb			\$ 5,000	
19	82 Pembroke street	Accessible Kerb			\$ 5,000	
18	Caro St	Small shelter			\$ 8,000	
3	Peachgrove Rd (Rail Xing Inbound)	bus shelter			\$ 8,000	
11	Grandview Road outside Salvation Army	Bus Shelter			\$ 8,000	
15	28 Moreland Ave	bus shelter			\$ 8,000	
16	84 Bryant Road	Small shelter			\$ 8,000	
18	481 Anglesea St(opp) (outside Repco)	Small shelter			\$ 8,000	
18	568 Anglesea St (outside Petworld)	Small shelter			\$ 8,000	
3	Opp 58 Peachgrove road	Small shelter			\$ 8,000	
3	Peachgove road(intermediate school)	Small shelter			\$ 8,000	
6	192 Thomas Rd	Small shelter			\$ 8,000	
6	7 Farringdon Drive	Small shelter			\$ 8,000	
15	29 Moreland Ave	Small shelter			\$ 8,000	
3	HBHS	Accessible Kerb			\$ 10,000	
1	69 Knighton Road	Large shelter			\$ 10,000	
12	185 Whatawhata Rd	large Shelter			\$ 10,000	
19	73 Pembroke Street	Accessible kerb and small shelter			\$ 12,000	
6	Opp 403 Hukanui Road	Bus Shelter and Accessible kerbs			\$ 13,000	
19	All Stops	Concrete access ways, Roadmarking & signage			\$ 30,000	
TOTAL			\$ 202,000	\$ 200,500	\$ 196,000	\$ -
1	77 Clyde Street	Bus Boarder & Accessible kerb			\$ 5,000	
1	82 Clyde Street	Bus Boarder & Accessible kerb			\$ 5,000	
1	18 Bledisloe Terrace	accessible Kerb			\$ 5,000	
1	40 Jellicoe Drive	Accessible kerb			\$ 5,000	
1	72 Naylor	Accessible kerbs			\$ 5,000	
1	21 Brookefield Street	Bus Boarder & Accessible kerb			\$ 12,000	
1	25 Bledisloe Terrace	Small Shelter, and accessible Kerb			\$ 12,000	
1	34 Naylor Street	small Shelter and accessible kerb			\$ 12,000	
1	37 Naylor street	small Shelter and accessible kerb			\$ 12,000	
1	46 Brookfield Street	Bus Boarder & Accessible kerb			\$ 12,000	
1	79 Naylor Street	Bus Shelter and Accessible kerbs			\$ 12,000	
1	80 Brookfield Street	Bus Boarder & Accessible kerb			\$ 12,000	

1	Opposite 20 Wellington Street	small Shelter, Accessible kerb. Safe footpath				\$	17,000	
1	26 Brookefield Street	small Shelter, Bus Boarder & Accessible kerb				\$	20,000	
1	37 Brookfield Street	small Shelter, Bus Boarder & Accessible kerb				\$	20,000	
1	38 Brookfield Street	small Shelter and accessible kerb				\$	20,000	
1	50 Brookfield Street	small Shelter, Bus Boarder & Accessible kerb				\$	20,000	
1	20 Wellington Street	small Shelter, Bus Boarder & Accessible kerb				\$	23,000	
1	99 Brookfield Street	small Shelter, Bus Boarder & Accessible kerb				\$	25,000	
1	opp 65 Brookfield Street	small Shelter, Bus Boarder & Accessible kerb				\$	25,000	
2	Knighton Road (north of gate 2a)	accessible kerb				\$	5,000	
2	Knighton Road (north of gate 2a)	accessible kerb				\$	5,000	
2	51 Carrington Ave	Large shelter				\$	10,000	
3	211 Peachgrove Road	Accessible Kerb				\$	4,000	
3	127 Peachgrove Rd	Accessible Kerb				\$	4,000	
3	220a Peachgrove Road	Accessible Kerb				\$	5,000	
3	222 Peachgrove	Small shelter				\$	8,000	
15	59 Oakfield Cr	Large shelter				\$	10,000	
TOTAL			\$	-	\$	-	\$	330,000





Committee: Strategy & Policy Committee

Date: 28 June 2012

Report Name: Speed Management Review

Author: Robyn Denton

Report Status	<i>Open</i>
Strategy, Policy or Plan context	<i>Access Hamilton Strategy</i>
Financial status	<i>N/a</i>
Assessment of significance	<i>Having regard to the decision making provisions in the LGA 2002 and Councils Significance Policy, a decision in accordance with the recommendations is not considered to have a high degree of significance</i>

1. Purpose of the Report

2. The Strategy and Policy Committee meeting in September 2011 considered a number of changes to speed limits throughout the city, and resolved that:
'staff report back on a policy, in conjunction with key stakeholders, concerning speed management including speed limit rationalisation within the City boundaries.'
3. This report provides a proposed speed management regime for the city which will inform the establishment for a new policy which will replace the current Local Area Traffic Management Policy, and the review of the Hamilton City Speed Limit Bylaw.

4. Executive Summary

5. Managing speeds on roads within Hamilton City is key to the achievement of road safety and the city's contribution to a number of strategic outcomes – nationally, regionally and locally.
6. The objectives of the Safe Speed component of the Safer Journeys strategy are:
 - People will increasingly understand what travelling at a safe speed means
 - Travel speeds will reflect a balance between road safety and economic productivity
 - Increasingly speed limits will be intuitive and reflect the use and function of the roads.
7. A staged approach to implementation of a rationalised speed limit regime for the city is proposed with opportunities for embedding the new regime into key documents (such as the District Plan) and upcoming projects identified.
8. Consultation will need to be completed prior to implementing any changes, and it is proposed to incorporate this into the Speed Limits Bylaw review process.

9. Recommendation/s from Management

10. That the report be received.
11. The Local Area Traffic Management Plans policy be amended, as part of the proposed policy

review process, to become a Speed Management Policy and incorporate the following as the desired speed limit regime for the city, to be progressively implemented as opportunities arise:

Long Term Desired Speed Limit - Km/h	Location
10/20/30/40	Lower Speed Areas, Collector roads
60 or 80	Minor and Major arterials
80	Rural local roads

12. That the long term desired speed limit regime be incorporated into the proposed District Plan and Infrastructure Technical Specifications.
13. That the proposed speed limit changes listed in Attachment 3 be included in the review of the Speed Limit Bylaw process for consultation.

14. Attachments

15. Attachment 1 - Hamilton City proposed Transport Corridor Hierarchy Plan 3 April 2012
16. Attachment 2 - Hamilton City Speed Limits Regime and Characteristics
17. Attachment 3 - Proposed Speed Limit Changes for inclusion in the Speed Limit Bylaw review

18. Strategic Alignment

19. Safer Journeys

20. The Safer Journeys strategy sets out the Government's national road safety strategy through to 2020. The vision of that strategy is to have 'a safe road system that is increasingly free of death and serious injury.'
21. A Safe System approach requires shared responsibility between road users and system designers. It says that *'if road users are alert, comply with the road rules and travel at safe speeds, they should be able to rely on the road and roadside features and the vehicle to protect them from death and serious injury.'*
22. For this to occur, Road Controlling Authorities (such as Hamilton City Council) have to design, build and maintain roads and to manage speeds to protect responsible road users.

The Safe System focuses on creating safe roads, **safe speeds**, safe vehicles and safe road users.

Safe speeds are described as occurring when travel speeds suit the function and level of safety of the road. People understand and comply with the speed limits and drive to the conditions.



23. Waikato Regional Road Safety Strategy

24. The Regional Road Safety Strategy sets out the vision and goals for the Waikato Region for the period 2009 – 2012 and is based upon the Safe System approach.
25. The strategy has a Safer Speeds policy that states *‘Drivers will travel at operating speeds that are appropriate to the conditions and the environment.’*
26. A review of the Regional Road Safety Strategy is just about to commence but it will continue to reflect the Safe System approach in the revised document.
- 27. Access Hamilton Strategy**
28. The issue of speed limits is considered as part of the Network Action Plan and the Transport Safety Action Plan contained within the Access Hamilton Strategy.
- 29. Hamilton City Speed Limits Bylaw**
30. A review of the Hamilton City Speed Limits Bylaw is just about to commence and the Determination Report is to be considered at the same committee meeting as this report.
31. Proposed changes to speed limits are listed in Attachment 3 and if agreed to as a result of this report will be incorporated into the next stage of the bylaw review – when consultation with key stakeholders and the general public is undertaken.
- 32. Local Area Traffic Management Plans Policy**
33. The Local Area Traffic Management Plans Policy currently covers the approach that is used to assess and prioritise the need for implementation of traffic calming in residential streets.
34. This policy is programmed for review later this calendar year, and it is intended that the outcomes from this discussion will feed into that review process with the possible conversion to a broader Speed Management policy.
- 35. Key Issues**
- 36. Background**
37. Hamilton City Council, like all other Road Controlling Authorities (RCAs) throughout NZ, uses a bylaw to capture speed limits for roads within the city boundary which are set via the provisions of the Land Transport Rule: Setting of Speed Limits 2003.
38. Agreements are in place with Waikato and Waipa District Councils for the management of the sections of road where the boundary between the two districts runs along the centreline of the road.
39. Typically a review of speed limits is undertaken annually, and incorporates any necessary changes to speed limits resulting from:
 - implementation of Safer Speed Areas
 - construction of new roads eg Wairere Drive
 - changes in development or use along a road – typically changing from rural to urban form.
40. Currently Hamilton City has the following 8 different speed limits in place - 20, 30, 40, 50, 60, 70, 80 and 100km/h.

41. Both the Speed Limits Bylaw and the Local Area Traffic Management Plans policy are programmed to commence in the next few months, and provide a great opportunity to incorporate a rationalised speed limit regime as outlined in this report.

42. Safe Speed Objectives

43. In developing a rationalised speed limit regime, consideration must be given to the Safe System approach and the proposed Hamilton City Transport Corridor Hierarchy that is currently out for public comment as part of the District Plan Review - refer Attachment 1.

44. The Safe Speeds component of the Safe System has the following objectives:
- People will increasingly understand what travelling at a safe speed means
 - Travel speeds will reflect a balance between road safety and economic productivity
 - Increasingly speed limits will be intuitive and reflect the use and function of the roads.

45. These objectives are aspirational and like the culture change around drink driving could take up to a generation to fully achieve both at local and national levels.

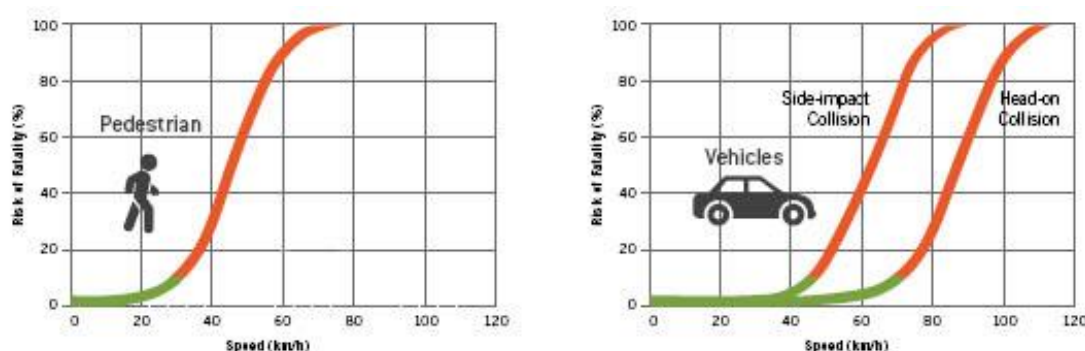
46. People will increasingly understand what travelling at a safe speed means

Achievement of this change in driving culture will primarily depend upon education and marketing activities undertaken by various agencies involved in road safety. It is about winning the 'hearts and minds' of the general public and this takes time, but will be reinforced by network and speed management solutions, road and vehicle technologies and enforcement and incentives. The work undertaken in conjunction with the introduction of the Safer Speed Areas within the city was a great step on this journey – and one which was able to build upon the early changes that were achieved via the introduction of the 40km/h variable speed limits outside schools.

47. Travel speeds will reflect a balance between road safety and economic productivity

Higher travel speeds assist in moving freight, goods and people thereby assisting in the economic productivity of Hamilton and the region. Where higher speeds are justified to achieve economic productivity, investment in infrastructure is also justified to ensure a safe road system, especially for vulnerable road users.

To determine 'what is a safe speed', the following information is useful:



Collision Type	Probability of death		
	10%	30%	50%
Pedestrian struck by car	30km/h	40km/h	45km/h
Car driver in side impact collision with another car	50km/h	65km/h	75km/h
Car driver in frontal impact with another car	70km/h	95km/h	105km/h

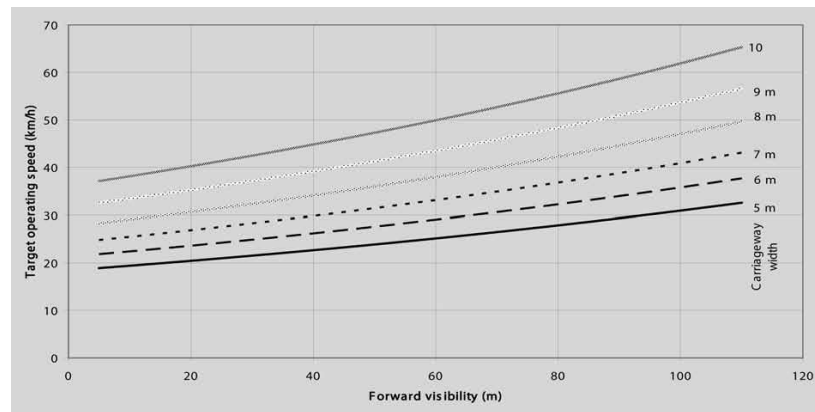
(Safer Journeys, New Zealand's Road Safety Strategy 2010-2020)

Physical work may be required (such as the introduction of barriers to prevent head on and run off road crashes) to provide the appropriate physical road environment consistent with the adopted speed limit. For the significant remainder of the network, low cost engineering, safe road use messaging and speed management interventions including lower speed limits may deliver the desired safe road system.

48. Increasingly speed limits will be intuitive and reflect the use and function of the roads.

Linking the style and form of roads to speed limits is critical to ensure that they are 'self-explaining' and therefore intuitive. Creating a clear look and feel distinction between roads with different speed limits will be important to give effect to this objective. This will generally require retrofitting of existing infrastructure such as that being undertaken in the Safer Speed Areas programme. Ensuring that any new construction or upgrading works also reflect this approach is an important step to ensuring that we do achieve this objective in a cost effective and timely manner.

The proposed District Plan and associated Infrastructure Technical Specifications have been written with this approach in mind and include information such as the graph below which has been taken from NZS 4404:2010 Land Development and Subdivision Infrastructure which illustrates the relationship between carriageway width and forward visibility and target operating speeds.



49. Rationalised Speed Limit Regime

50. Achieving the goal of a rationalised speed limit regime that also achieves the objectives set out above will take time to embed, but it is believed that there is a positive step change that Hamilton City can make and continue its role as a road safety leader nationally.

51. The following speed limit regime is being proposed as the first step for our existing road network:

Stage 1 Desired Speed Limit - Km/h	Location
10/20/30/40	Lower Speed Areas
50	Collector and Minor Arterials
60 or 80	Major Arterials
80	Rural Local Roads

52. Lower speed areas would be those areas where there is higher pedestrian and cyclist activity occurring and it is therefore desirable to have lowering travelling speeds that recognises their vulnerability:

- 10 km/h Shared zones
- 20 km/h Transport centre, parks, cemeteries
- 30 km/h Shopping precincts
- 40 km/h Local residential streets, variable school zones

53. In some locations the speed limits proposed in this regime will not be able to be implemented immediately and will be dependent on physical works being completed prior to any change occurring. However, there are many locations that this regime would be able to be implemented immediately, and which can be incorporated into the Hamilton City Speed Limit Bylaw review.

54. Additional streamlining of the regime could then be achieved via the removal of the 50km/h speed limit option by either lowering the speed limit on these roads to 40km/h or raising them to 60km/h. It is proposed to lower the Collector roads to 40km/h, and raise the Minor Arterials to 60km/h. This would result in the following speed limit regime:

Long Term Desired Speed Limit - Km/h	Location
10/20/30/40	Lower Speed Areas, Collector roads
60 or 80	Minor and Major Arterials
80	Rural Local Roads

55. Removal the 50km/h speed limit option will require physical work to:
- decrease the mean travelling speeds on Collector roads to within 5km/h of the proposed 40km/h limit, and
 - invest in safety provisions on Minor Arterials as recommended by a Safety Audit.

The northern end of River Rd, Forest Lake Rd, Peachgrove Rd and Galloway St are all examples of Minor Arterials that would have their speed limits increased under this regime. Meanwhile, Silverdale Road, Brymer Rd and Sandwich Rd are examples of Collector Roads that would have their limits decreased to 40km/h.

56. It is expected that the implementation of the long term regime would be able to be progressively implemented on the existing road network over the next 10+ years time - as Safer Journeys and the Safe System approach become well embedded in the NZ driving culture and road hierarchy's and layouts. This would also tie in with a number of other changes that will need to occur during that time.

57. Changes required to implement a changed speed limit regime

58. The Safer Journeys strategy was introduced in 2010 and established the Safe System approach to road safety. It signalled the start of a journey for those involved in road safety to learn about this approach and work out the best way of achieving the desired outcomes in the NZ context in an affordable and effective way.

59. There are a number of milestones that will need to be achieved in order for us to successfully implement the long term desired speed limit regime including:

- Winning the hearts and minds of the public in understanding the role speed plays in road safety and therefore the need to change speed limits.
- Successful implementation of demonstration Safe Speed projects to learn about what is needed to successfully and safely raise or lower speed limits for both education/marketing and engineering activities.
- Development of a nationally consistent road hierarchy that reflects the use and function of the road and in turn, the speed limit for that road.
- Development of a nationally consistent approach to the 'look and feel' of roads so that they are able to be self explaining and intuitive.
- A review of the Speed Limits Rule to reflect the Safe System approach to road safety.

60. Work has begun on all of these 'projects' which are in most cases being lead by the NZ Transport Agency, but are dependent on RCA's such as Hamilton City being actively involved. The Hamilton Safer Speed Areas project is a prime example of the type of demonstration project that the National Road Safety Committee are looking for in order to obtain the learning necessary to achieve the outcomes desired in the Safer Journeys strategy.

61. Steps we can take to implement the long term regime immediately

62. We are able to make good progress towards the long term goal immediately by locking in the desired speed limit regime into key documents such as:

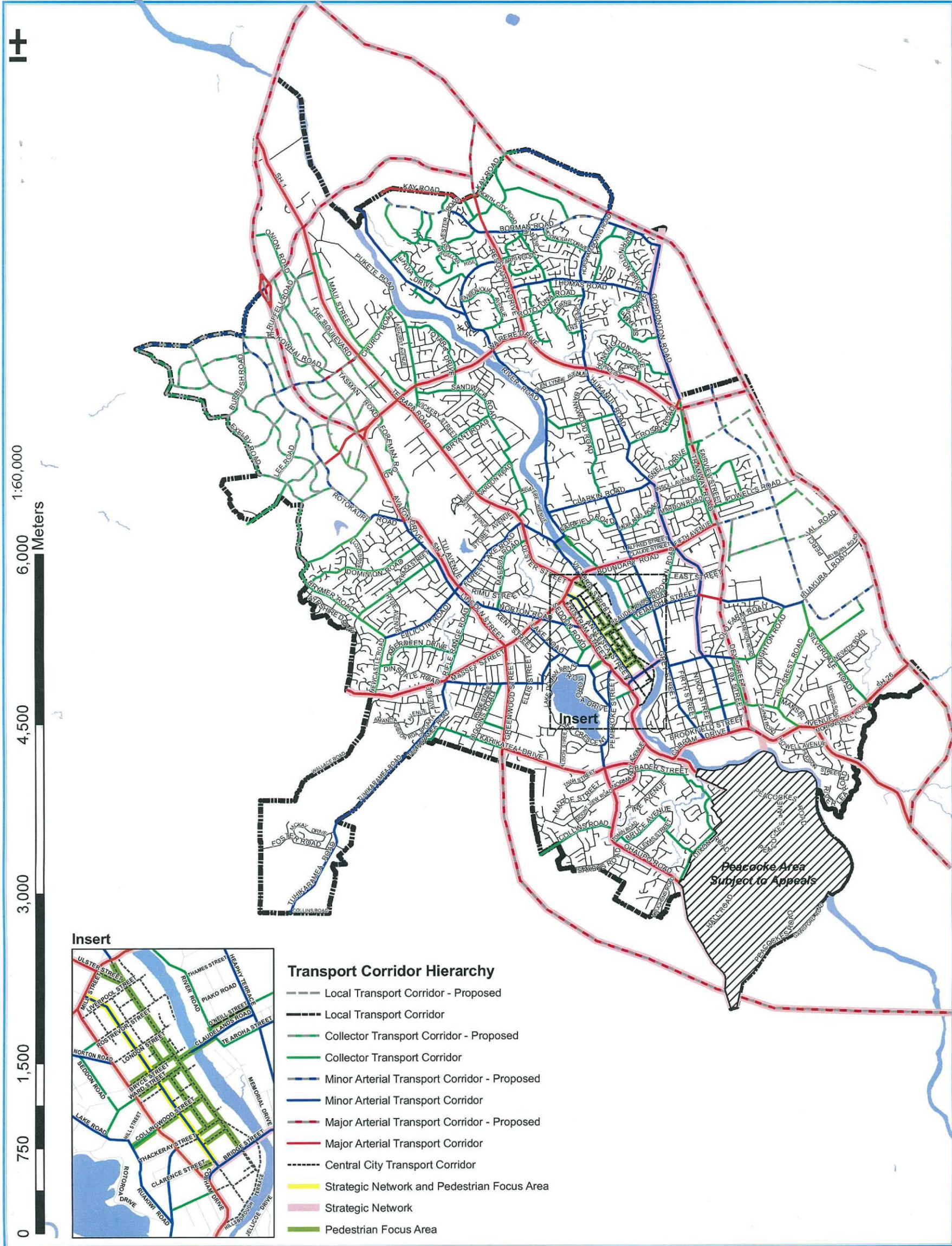
- District Plan
- Infrastructure Technical Specification
- Local Area Traffic Management Plan policy (or revision)

63. These documents will also provide guidance on the desired layout and nature of the road network to ensure that it supports this regime. This includes the consideration of provision of roadmarking, signage and facilities for pedestrians and cyclists. An indication of how each of the different types of roads would look is included in Attachment 2.

64. The long term desired speed limit regime would then be used as the basis for design for all new roads and any upgrades of existing roads.
65. Changes to a number of speed limits are also able to be undertaken immediately as part of the Speed Limit Bylaw review process to progressively move towards the long term regime. These changes include:
- extending the CBD 30km/h shopping precinct
 - lowering rural roads to 80km/h
 - lowering the speed limits for the safer speed area programme for 2012/13
66. A full list of roads for which we propose to change speed limits is included as Attachment 3. Full consultation will be required for these changes to occur and the proposals will have a direct impact upon our neighbouring RCA's.
- 67. Legislative requirements or legal issues**
68. Local Government Act 1974 and Land Transport Rule: Setting of Speed Limits 2003 set out the requirements for the consultation with key stakeholders and the community.
69. The Land Transport Rule: Setting of Speed Limits also sets out the method by which speeds limits should be determined.
- 70. Environmental sustainability**
71. There is no impact on the city's environmental sustainability from this proposed policy.
- 72. Consultation**
73. Local Government Act 1974 and Land Transport Rule: Setting of Speed Limits 2003 set out the requirements for the consultation with key stakeholders and the community.
74. The consultation process for the proposed speed limit changes will be completed over the next few months as part of the Speed Limit Bylaw review process. It is expected that this process will be completed in 2012.
- 75. Treaty requirements/implications**
76. There are no specific requirements in regard to the Treaty.
- 77. Financial and Resourcing Implications**
78. The proposed process for progressively working towards the long term speed limits regime enables work to be undertaken as part of existing work programmes e.g. speed limit bylaw review, safer speed areas programme, minor safety improvements, network upgrades and construction of new roads.
79. If there was a desire to accelerate the progress, additional funding would be required.
- 80. Risk**
81. The proposed process for progressively working towards the long term speed limits regime enables work to be undertaken within the existing legislative frameworks and minimises the risks to safety.

Signatory



Authoriser	Chris Allen, General Manager City Infrastructure Group
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Hamilton City Speed Limits – Regime and Characteristics

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Attachment 2

Speed Limit	Location	Characteristics	Signage
10 km/h	Shared Zone	Pedestrian focused/dominated areas where vehicles are allowed to travel through. Pedestrian has priority but must not unduly hinder vehicle progress. Desire lines for pedestrians include movement along and across the area of shared space.	
20km/h	Transport centres, parks, cemeteries	High vehicle and pedestrian numbers at various times – often associated with events. Vehicles moving in and out of parking facilities and pedestrians moving between vehicles.	

30 km/h	Shopping precincts	High pedestrian numbers moving along the road with regular crossing points to accommodate desire lines – ranging from courtesy crossings to signalised facilities. Cyclists move with vehicles in the traffic lanes, high demand for on-street parking, loading zones and passenger transport stops. Vehicles have right of way, but are expected to be able to stop quickly and to behave in a courteous manner towards other road users within the area.	
40 km/h	Local residential streets	Designed for the movement of residents to and from their homes. Expectation on drivers to be watchful for children playing in adjacent properties, people walking with dogs and/or children. Cyclists sharing the road space with vehicles, and pedestrians accommodated on footpaths. Roadmarking and signage limited to key intersections or locations where additional guidance of the motorist required (eg bends). Dedicated pedestrian facilities for crossing the road generally limited to splitter islands at intersections – expected that pedestrians will generally cross at midblock locations to suit their desire lines. Facilities for passenger transport users limited to key/high use stops.	
40 km/h	Collectors	Designed for the distribution of traffic from local residential streets to and from the arterial road network. Roadmarking and signage provided at all intersections with Arterial roads and locations where additional guidance of the motorist required (eg bends). Provision of dedicated pedestrian facilities to cross the road eg splitter islands and refuge islands. Facilities for passenger transport users likely to include accessible kerbs and bus shelters.	
40 km/h	Variable school zones	Areas of high pedestrian activity associated with children entering and leaving schools. Variable speed limits provided to allow for a lowering of the speed limit at the start and finish of the school day or where there are high numbers of pedestrians crossing the road throughout the day (eg school trip). Generally located on Collector and Minor Arterial corridors.	
60 km/h	Minor Arterials	2-4 lane carriageway designed for the movement of high volumes of traffic around the city. Provision for cyclists either via marked on-road cycle lanes or shared paths with pedestrians. Roadmarking and signage to a high standard with all key intersections controlled by either roundabouts or traffic signals. Provision of dedicated pedestrian facilities to cross the road eg refuge islands, zebra crossings or signalised pedestrian crossings, Facilities for passenger transport users include accessible kerbs and bus shelters.	

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60 or 80 km/h	Major Arterials	2-4 lane carriageway designed for the movement of high volumes of vehicles around and through the city. High standard of safety features including limited access points from surrounding development, roundabouts or traffic signal control provided at intersections, solid central median islands, dedicated right turn bays, high quality roadmarking and signage, street lighting, guard rails. Shared off road facilities for cyclists and pedestrians. Pedestrian and cyclist facilities are grade separated at key crossing points.	 
80 km/h	Local rural roads in future urban zones	Narrow carriageways generally with swales or ditches for drainage. No lighting other than flag lights at intersections and generally no separate provision for pedestrians or cyclists. Intended to be upgraded to urban standards as the area is re-zoned and adjacent development occurs.	

Speed Limit Changes Proposed for Consultation as part of the Speed Limits Bylaw Review June 2012.

- Safer Speed Areas – proposed speed limit =40km/h

Safer Speed Area Name	Area Number
Wellington/Nixon Street	31
MacFarlane Street	32
Brookfield/Nixon Street	30
Fox Street	29
Fox Lane	28
Flynn Road	27
Somme Crescent	21
Bettina Road	88
Bellmont Avenue	81
Donny Avenue	80
Colleraine Drive	5
Commodore Avenue	76
Aberdeen Drive	48
Shelley Jane Place	42
Cherrywood Street	67
Morrow Avenue	66
Cattanach Street	65
Beatty Street	35

Proposed Speed Limit (km/h)	ROAD NAME	DESCRIPTION
30	Victoria Street	Claudlands Rd to 10m north of Bryce Street
30	Bryce Street	Eastern end to Anglesea Street
30	Barton Street	Bryce Street to London Street
40	Brighton Grove	Percival Road to end
40	East Ridge Grove	SH26 to end
50	Baverstock Road	Avalon Drive to Brymer Road
50	Brymer Road	Baverstock Road to 500 metres north of Baverstock road (just past the Zoo)
60	Ruakura Road	Peachgrove Road to 425 metres east of Silverdale Road
60	Te Kowhai Road	Tasman Road to Te Rapa Road
60	Te Rapa Road	Wairere Dr to 290m north of Te Kowhai Rd

Proposed Speed Limit (km/h)	ROAD NAME	DESCRIPTION
80	Te Rapa Road	290m north of Te Kowhai Road to the City Boundary
80	Bern Road	Te Rapa Road to the City Boundary
80	Borman Road	750m east of Horsham Downs Road to Gordonton Road
80	Burbush Road	Exelby Road to Te Kowhai Road
80	Dixon Road	Waterford Road to its south-eastern end
80	Exelby Road	Rotokauri Road to Te Kowhai Road
80	Gainsford Road	Peacockes Road to end
80	Gordonton Road	300m north of Thomas Road to City Boundary (Borman Road)
80	Hall Road	SH3 (Ohaupo Road) to end
80	Hutchinson Road	Te Rapa Road to End
80	Lee Road	Exelby Road to End
80	North City Road	Borman Road to Kay Road
80	Old Ruffell Road	Ruffell Road to End
80	Onion Road	Ruffell Road to End (Expressway)
80	Peacockes Road	Raynes Road to 840m east of Waiora Terrace
80	Peacockes Lane	Peacockes Road to end
80	Percival Road	Ruakura Road to the City Boundary
80	Powells Road	40 m east of Aldona Place to the City Boundary
80	Raynes Road	SH3 (Ohaupo Road) to Peacockes Road
80	Ruakura Road	From a point 425m North East of Silverdale Road to the City Boundary
80	Ruffell Road	Te Kowhai Road to End (Expressway)
80	Ruffell Road	End (Expressway) to Te Rapa Road
80	Ryburn Road	Percival Road to the City Boundary
80	Stubbs Road	Peacockes Road to end
80	Tasman Road	Avalon Drive Overbridge to Te Kowhai Road
80	Te Kowhai Road	Tasman Road to End (Expressway)
80	Te Kowhai Road	End (Expressway) to City Boundary (Exelby Road)
80	Tuhikaramea Road	410m south-west of Foster Road to Koromatua Road

Roads that Council has shared responsibility with other local authorities

Proposed Speed Limit (km/h)	ROAD NAME	DESCRIPTION
80	Greenhill Road	Gordoton Road to end (with Waikato District Council)
80	Kay Road	Osborne Road to River Road (with Waikato District Council)
80	Brymer Road	500m north of Baverstock Road to Rotokauri Road (with Waikato District)
80	Horsham Downs Road	Kay Road to 2.4km north of Thomas Road (with Waikato District)
80	River Road	300m south of Kay Road to Kay Road (with Waikato District)
80	Tuhikaramea Road	260m south-west of Pygmalion Pl to 540 m north-east of Foster Road (with Waipa District Council)
80	River Road	North of Kay Road (with Waikato District Council)
80	Wallace Road	Southern End (with Waikato District Council)

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Attachment 3